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ABSTRACT

This document contains testimony, prepared statements, letters, and supplemental materials submitted during four days of hearings held in July, 1977. Under consideration was a bill to extend for five years a number of programs authorized in the Education Amendments of 1974. Discussed are the history, progress, and funding of the following: the National Reading Improvement Act, the Assistance to States for State Equalization Plans, the Women's Educational Equity Act, and the Ethnic Heritage Studies Act. Also discussed are three programs authorized under the Special Projects Act in the Education Amendments of 1974: the Gifted and Talented Children's program, the Metric Education program, and the Arts Education program. (MLF)

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PART 7: SPECIAL PROJECTS ACT AND MISCELLANEOUS PROGRAMS

ED169607

HEARINGS

BEFORE THE

SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR

HOUSE OF REPRESENTATIVES

NINETY-FIFTH CONGRESS

FIRST SESSION

ON

H.R. 15

TO EXTEND FOR FIVE YEARS CERTAIN ELEMENTARY, SECONDARY, AND OTHER EDUCATION PROGRAMS

HEARINGS HELD IN WASHINGTON, D.C.
JULY 13, 14, 19, 20, 1977

Printed for the use of the Committee on Education and Labor

CARL D. PERKINS, *Chairman*

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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PART 7: NATIONAL READING IMPROVEMENT ACT AND ASSISTANCE TO STATES FOR STATE EQUALIZATION PLANS

WEDNESDAY, JULY 13, 1977

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to notice at 9:45 a.m., in Room 2175, Rayburn House Office Building, the Hon. Carl D. Perkins, chairman of the subcommittee, presiding.

Members present: Representatives Perkins, Mottl, LeFante, Kildee, Buchanan, Pressler and Pursell.

Staff present: Nancy L. Kober, majority staff assistant, and Christopher T. Cross, minority senior education consultant.

Chairman PERKINS. The committee will come to order.

The Subcommittee on Elementary, Secondary and Vocational Education is conducting a hearing today on two programs authorized in the Education Amendments of 1974—the National Reading Improvement Act and Assistance to States for State Equalization Plans.

The National Reading Improvement Act was first authorized in Title VII of P.L. 93-380, and amended last Congress in Public Law 94-194. A wide variety of activities are funded under the Act, all with the purpose of improving reading instruction to students and adults. The appropriation for the programs under this Act totaled $26 million for fiscal year 1977.

Today we have with us a panel consisting of Mr. Gilbert Schiffman of the Office of Education, Michigan State Senator Joseph M. Snyder, and Mr. Edwin Cain of the Minnesota State Department of Education, to testify on the progress made under the National Reading Improvement Act.

The second program we will receive testimony on today is the program of Assistance to States for State Equalization Plans, authorized under Section 842 of Public Law 93-380. The purpose of this program is to reward those States which have enacted fair and equitable school finance systems, and to encourage more States to do the same by offering funds for reimbursement of the costs

associated with the development of State equalization plans. A total of $13.5 million has been appropriated for this purpose.

Today we will hear from Dr. Thomas Johns of the School Finance Staff, Bureau of Elementary and Secondary Education, U.S. Office of Education, who will explain the activities carried out by the Office of Education to administer this program.

First I am going to call on Congressman Kildee and Congressman Pursell from Michigan, who may want to say something about our witnesses since they have known you gentlemen for a period of time in the past. I think it is only fitting and appropriate that our colleagues introduce these witnesses.

Mr. KILDEE. Thank you, Chairman Perkins.

I would like to welcome especially Senator Joseph Snyder. I had the privilege of serving with him for 12 years in the Michigan Legislature, ten years in the House and two years in the Senate, where he is still a member. I left in the middle of my term. Joe is still there.

Joe, along with the gentleman accompanying him this morning, Mr. Ludington, are really the founders of the paperback reading program in Michigan, I think one of the most successful programs that has stimulated reading among young people in the State of Michigan.

The State of Michigan believes in it so strongly that I believe this year the legislature appropriated $550,000 for the program. That probably is one of the fastest growing programs in dollars that we have seen in the State. I commend Senator Snyder, Mr. Ludington, for having brought this in the legislature's attention.

I was chairman of the subcommittee at the time when Mr. Snyder brought it to my attention. We started out with a very modest program. The program proved to be so effective that it has grown.

I welcome Senator Snyder and Mr. Ludington here this morning.

Thank you, Mr. Chairman.

Chairman PERKINS. Mr. Pursell?

Mr. PURSELL. Thank you, Mr. Chairman.

On behalf of Mr. Kildee and myself, all the members of the committee, Michigan has had a great pilot program in reading, the paperback program. I was part of that same subcommittee with Mr. Snyder and Mr. Kildee. I appreciate his state and national leadership along with the great humanitarian that he brought with him this morning, Mr. Ludington, who is one of the well-known paperback publishers in the United States and throughout the world.

I am very happy to have you here for your testimony this morning.

Thank you.

Chairman PERKINS. Mr. Schiffman, director, Right to Read, U.S. Office of Education; the Honorable Joseph M. Snyder, State Senator, Michigan State Senate; Mr. Edwin Cain, Director of Federal-State Relations, Minnesota State Department of Education--could you all come forward?

We have another witness, but we will let that witness come later. You three are a panel on the National Reading Improvement Act that we enacted in 1974.

We will hear from your first, Mr. Schiffman.

[The statement of Mr. Schiffman follows:]

FOR RELEASE UPON DELIVERY

Statement by
Gilbert B. Schiffman
Director, Right to Read
Office of the Executive Deputy Commissioner for Educational Programs
U.S. Office of Education
Department of Health, Education, and Welfare
Before the
Subcommittee on Elementary, Secondary, and Vocational Education
Committee on Education and Labor
House of Representatives
Wednesday, July 13, 1977
9:30 a.m.

Mr. Schiffman is accompanied by:

Ray Peterson, Special Assistant to the Deputy Assistant Secretary for Legislation (Education), HEW

Dr. Albert L. Alford, Assistant Commissioner for Legislation, U.S. Office of Education, HEW

I am pleased to appear before your Committee today to testify on the National Reading Improvement Program, Title VII of Public Law 93-380 as amended by PL 94-194.

Right to Read is a national effort for developing and improving the reading skills of all citizens enabling each to function effectively in our society.

As such it is both a legislated program and a coordinated national endeavor for promoting the involvement of all segments of society, both public and private, to ensure that in the next decade no American shall be denied a full and productive life because of an inability to read effectively.

In pursuing its goal, Right to Read:

- encourages the established educational agencies within a State to exert a coordinated and cooperative effort to solve the literacy problem through the efficient usage of the economic and human resources available within the State

- recommends a systematic process for assessing literacy needs and for developing and implementing programs to meet those needs

- provides limited financial assistance to local educational and nonprofit organizations for instructional programs and to State agencies for leadership and training activities

- identifies and disseminates pertinent and useful information relative to effective reading techniques, materials, instructional approaches, and organizational designs

- provides technical assistance in planning and implementing instructional and staff development programs

- enlists the involvement and support of the private sector and of governmental agencies for activities which impact on literacy needs

The Right to Read Effort includes the following components:

Special Emphasis Projects

To determine the effectiveness of reading instruction provided by reading specialists.

Eight local education agencies were awarded contracts to establish intensive reading instruction programs in one school in each district where 50% of the children are more than one year below grade level. A comparable school within each district was identified as a control school where the regular school reading program continued unchanged.

Approximately 3600 children and 180 education personnel including teachers, specialists, administrators, and aides are served by the program. An outside evaluation based on a pre-post test design will measure the educational impact of the program over the three year period.

We do not anticipate requesting any additional funding after FY 1978 for Special Emphasis Projects for the following reasons:

(1) The stated purpose of the legislation, "to determine the effectiveness of intensive instruction by reading specialists and reading teachers" will be accomplished by the end of FY '78.

Data will be generated on a control and experimental school in each project relating student performance, management systems, instructional strategies, program organization, student grouping strategies, staff development, auxiliary instructional materials, equipment, and services. All of these data will be analyzed in light of the original Congressional interest as stated above. But in addition, we'll have pictures of exact elements that are working and worthy of dissemination.

(2) Data and materials developed through projects will be extracted and analyzed for promising products and practices which will then be put in a form for dissemination to the educational community and other federal programs having "specialists" program formats, such as Title I. This activity can be funded under the National Impact section of the legislation.

(3) These projects are extremely complicated and expensive. Installation of the teaching strategies require almost a total reorganization of the school, as well as change in the teaching styles of first and second grade teachers. In this era of constricting budgets, very few school districts could afford to adopt the entire model.

Inexpensive Book Distribution Program

To provide motivation in reading through the distribution of books to students as gifts, on loan, or at a nominal cost.

Reading is Fundamental, Inc., as the contractor under Right to Read's Inexpensive Book Distribution Program, subcontracts with local private nonprofit groups and organizations and public agencies when these organizations agree to establish, operate, and provide the non-Federal share (50%) of the cost of books, and conduct reading motivation programs. Arrangements are made with book publishers and distributors to obtain books for the subcontractors at discount prices usually ranging from 35% to 55% of the retail cost.

By the end of FY '78 it is estimated that approximately 25 million books will have been distributed to close to six million students as gifts, on loan or at a nominal cost as a result of three years of Federal appropriations.

Two major considerations remain to be explored in the effective implementation of this program:

(a) to encourage publishers to print reading material in native languages for the non-English speaking student.

(b) to investigate the possibility of inexpensive books being made more accessible to disadvantaged pupils (possibly at no charge or by increased support from the private sector).

Reading Academies

To provide appropriate reading instruction for in-school and out-of-school youth and adults who otherwise do not have access to such instruction.

The Reading Academy Program is a major program administered nationally by the U.S. Office of Education, having funds solely for the purpose of providing reading assistance and instruction for in-school, as well as out-of-school youths and adults 16 years of age and older. (Approximately 30,000 students will be instructed during FY '77.)

Currently projects are funded to State education agencies, institutions of higher education, local education agencies, and community organizations. A major thrust of the Reading Academy Program is the extensive use of volunteers.

Currently the National Right to Read Office and the National ACTION agency are fostering liaison efforts at the local level whereby Reading Academy projects utilizing volunteers from the Retired Senior Volunteer Program jointly provide reading assistance and instruction.

Reading Improvement Projects

To develop and implement innovative reading programs for preschool and elementary school children.

This component provides direct services to 125-150 school districts - a small percentage of the total number of districts in the Nation. (About 18% of the applications submitted in FY '78 were approved for funding.)

Presently, applicant agencies are overburdened by the 14 requirements and three assurances in this section (Section 705). The requirements are too many and so specific as to limit the variety of demonstration model reading programs which should be funded.

We question whether it is efficient and effective to allow two or more reading programs permission to operate within a school or system with little or no attempt to coordinate them. Schools sometimes have a Title I, a Bilingual, a Right to Read, and a Learning Disability program on top of the regular program and all operating with different philosophies and conflicting approaches.

However, we do not now have authority to require that applicant agencies coordinate their reading efforts with other Federally funded efforts.

These are two additional issues that raise some concern with this component:

(1) The inability of applicant agencies to use the funds in secondary schools.

(2) The fact that the State educational agencies are in a potential conflict of interest by being an eligible applicant and, at the same time, having the approval/disapproval power over other eligible applicants.

State Leadership and Training Programs

To provide training for local Right to Read administrators and to exert leadership in achieving a solution to the literacy problem of the State through a coordinated and cooperative effort of the educational agencies of the State.

The State educational agencies are developing and implementing comprehensive plans for literacy. The rationale for supporting the State component of the Right to Read program has always been one of providing money which would assist State educational agencies in disseminating the Right to Read stragegy among the local educational agencies within their jurisdictions. An assessment of the State agency component of the Right to Read program by AMS (June 1976) stated: "The approach taken by the Federal administrators responsible for the State component appears to have been successful in that the programs have achieved meaningful effect utilizing a relatively modest amount of money". This is endorsed by the following:

- 16% of the State Directors reported that all districts in their State were already involved in the State program and 58% reported that all districts in their State would be involved sometime within the next four years.

- The 31 States reporting have provided Right to Read training to 3312 local directors, 3209 districts, 2870 principals, and 9267 teachers.

- 32 States have developed Standards of Excellence for successful reading programs.

- Bills relating to reading have been introduced in the legislatures for at least 81% of the States; and certification requirements relative to reading have been strengthened in the past two years in 65% of the States.

This component exemplifies a national thrust or effort and has been extremely successful.

That is encouraging since I do not believe that the literacy problem can be solved without strong state leadership.

Under Title V of ESEA a document entitled "Comprehensive State Literacy Planning: A Guide to Development and Implementation" was prepared. It consists of a unified and coordinated series of action steps designed to advance literacy among all of the citizens of a State. This plan incorporates all of the interdisciplinary concepts that Right to Read believes in.

To date our major problem with the State leadership and training authority (Section 724) is that it is limited to needs assessment, inservice training, technical assistance and demonstration, but does not encourage broader support of States that evidence comprehensive State plans and total literacy commitments.

National Impact Effort

To develop and disseminate innovative projects which show promise of impacting significantly on the reading deficiencies of the Nation.

This component is the only true discretionary part of the Right to Read effort.

The following paragraphs describe current and recent activities carried out under this authority.

Right to Read Film

A Right to Read film, "But Everyone I Know Can Read", was produced to inform the public about the Right to Read. This film appears to be an effective device in motivating States, schools, individuals, and other groups to participate in the national effort to eliminate illiteracy.

Right to Read Elementary Principals Training Program

A contract has been awarded for the production in audiovisual and print format a series of modules designed to provide training in reading leadership for elementary principals.

National Assessment of Educational Progress

An assessment of the functional literacy of seventeen year olds was carried out in conjunction with the larger National Assessment of Educational Progress.

Position Papers on Reading and Literacy Development

Right to Read developed a series of position papers covering reading instruction from preschool through adult levels. These papers together with a strategy for implementation will compose a document that will soon be available for national distribution.

Evaluation

Up to 1% of the appropriations are available to evaluate the programs assisted under this title.

Right to Read has instituted a computer data collection and retrieval system. This program will make detailed information concerning Right to Read activities readily available for analysis and dissemination.

In conclusion, I would like to share with the Committee several examples of the progress that has been made along the lines of promoting literacy in this country. Until the recent National Assessment of Educational Progress, educators have lacked any baseline against which to measure change in reading performance over a period of years. Definitions of functional literacy varied widely with the geographical location. The much needed baseline was developed when the 1975 National Assessment of Educational Progress compared findings in its reading survey to the 1971 study which indicated some specific gains at the national and State levels.

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The States are improving their reading programs. For example, the Maryland State Department of Education recently noted that roughly 87% of the 11th graders who took the Maryland Functional Reading Test last fall met the standard of functional reading competence. A year before only about 80% of the high school juniors taking the test were able to meet the standard. Similiar improvements were found among the 7th graders who took the test, with 69% being considered functionally literate compared with about 65% the year before.

Thus, there is no longer any question that we do, indeed, possess the pedagogical expertise needed to solve the literacy problem. Yet, despite the overall improvement suggested by the National Assessment, the literacy problem persists: at least one out of ten students nearing the end of high school is still not able to do basic everyday reading tasks. In some high socio economic sections the ratio is as low as one out of twenty is functionally illiterate; in certain low socio economic sections the ratio exceeds one out of five.

The major challenge lies in the transfer of the pedagogical expertise we possess into the actual classroom situation. One has to realize that no one discipline or no one Federal program can possibly accomplish this in isolation. It will take a total interdisciplinary and interagency team effort and commitment among the many Federal and State, public and private agencies to achieve this goal.

The Right to Read Program will intensify its efforts to work cooperatively with other programs in sharing expertise and developing collaborative projects toward at least two objectives: (a) to meet the varied needs of functionally illiterate adults and (b) to reach children early enough in their educational progression to prevent the development of yet another generation of functionally illiterate adults.

National Reading Improvement Act

STATEMENT OF GILBERT B. SCHIFFMAN, DIRECTOR, RIGHT TO READ, U.S. OFFICE OF EDUCATION

Mr. Schiffman. Thank you, Mr. Chairman.

I am pleased to appear before your committee today to testify on the National Reading Improvement Program, Title VII of Public Law 93-380 as amended by Public Law 94-194.

I would like to describe the three components of the Right to Read very briefly to give you some feeling of the progress and where we stand presently.

The first component is the special emphasis project. This project is to determine the effectiveness of reading instruction provided by reading specialists in contrast to regular reading programs in local schools.

In 1977 $1 million was budgeted for this project. Eight local educational agencies were awarded contracts to establish intensive reading instruction programs; in one school, where at least 50 percent or more of the children were reading at least one year below grade level. A comparable school within that same district was identified as a control school, and the traditional reading program was continued in that school.

Approximately 3,600 children and 180 professionals were involved and are still involved in this program. An outside evaluation, based on pre- and post-test design, will measure the impact of a program with reading specialists versus regular instructional programs over a three year period.

In 1978, January, we will have an interim report. In late 1979 we will have a final report of the effectiveness of reading specialists in this kind of a project.

We do not anticipate any additional request for funding after fiscal year 1978, basically for the following reasons:

One, we will have achieved our goal. We will have gathered the data, and we now will be able to get a picture of the exact elements that are working in the schools and worthy of dissemination.

The second reason is that these projects cost roughly $100,000 a year, and with constricting budgets very few school systems in the country would be able to afford to adopt the entire model, only certain parts of it.

The second component is the Intensive Book Distribution Program, which provides motivation in reading through the distribution of books to students as gifts, loans, at a nominal cost. In 1977 the appropriation was $5 million.

Reading is Fundamental, Inc. is the contractor under the Right to Read's Intensive Book Distribution Program. What happens is that Reading is Fundamental subcontracts with local agencies and nonprofit groups. These agencies are willing to share 50 percent of the cost of the books, and conduct reading motivation programs.

Arrangements are then made with book publishers and distributors to get a discount, anywhere from 35 to 55 percent of the retail cost. This means that for a local school or a local service organization, for every one dollar they raise, they get approximately $4 worth of reading material.

By the end of fiscal year 1978 it is estimated approximately 25 million books will have been distributed to close to six million students. Six hundred eleven proposals through June have been funded, and 104 publishers have signed agreements, and 50 are still negotiating.

Two considerations are that we have to make an additional attempts to encourage publishers of the printed reading material to print material in the native languages for our non-English speaking students—we have a great dearth of material in this area—and to investigate the possibility of giving these or getting these inexpensive books into the hands of disadvantaged pupils in greater quantities.

The third component is the Reading Academies. These are programs to provide appropriate reading instruction for in school and out of school youth and adults. Youth and adults who otherwise would not have access to any kind of instruction.

In 1977 the appropriation was $4,840,000 and 82 projects were funded. Approximately 30,000 students will be instructed during fiscal year 1977. Currently projects are funded to a variety of agencies such as State educational agencies, institutions of higher education, local education agencies and community organizations.

A major thrust of the Reading Academies program is the extensive use and the training of volunteers, which we believe is a tremendous resource in the field.

Reading Improvement Projects, one of our major components, is to develop and implement innovative reading programs for preschool and elementary school children. In fiscal year 1978, $8,400,000 was appropriated in this area. This program provides direct services to 125 to 150 elementary school districts around the country.

Unfortunately, we find today that a lot of our applicant agencies seem to be overburdened by the large number of requirements and assurances that are needed in this section. We also question whether or not it is efficient and effective to allow in a local elementary school with two or more reading programs permission to operate with little or no attempt to coordinate them.

Sometimes we have in schools a Title I program, a bilingual, a Right to Read, and a learning disability program, all operating on top of the regular program, and all of them having different philosophies and conflicting approaches.

We have some concerns these programs are not available to our secondary students, and we also recognize the fact that State educational agencies that can apply for Reading Improvement Projects are also in many cases in a position to give approval or disapproval of these applications.

The next area is the State Leadership, which provides training for local Right to Read administrators, and is responsible for the leadership in the solution of the problem in that State. In 1977 $6 million was appropriated in this area.

We feel the State educational agencies are developing and implementing very comprehensive programs for literacy in many areas. The AMSA report, which I believe you have a copy of, verifies this.

In 1976 we had 32 States which had developed standards of excellence for successful reading programs. This is encouraging, since I believe if we are going to solve the literacy program we must have strong State leadership.

In the national impact component we develop and disseminate innovative projects which show promise for affecting the literacy of the nation.

In 1977 $500,000 was appropriated in this area, and we funded such projects as a Right to Read film, elementary principals training program, National Assessment, and position papers on literacy.

The last area is the area of evaluation. As you all know, up to 1 pecent of our appropriations are available to evaluate programs under this title. Right to Read has instituted a computer data collection and retrieval system. We will now have detailed information concerning Right to Read activities readily available for analysis and dissemination.

For instance, next year all of the Reading Improvement Projects and Academies will have pre-performance and post-performance data and progress reports. For all the State educational agencies we will know something about the actual training, how many people were affected, what kind of training, what kind of dissemination, and what kind of technical assistance has been offered.

In conclusion, I think we have four major areas that form a basis to solve the literacy problem in the United States. First, we have a base line upon which to measure successes and failures for the first time. Through the recent National Assessment of Educational Progress we know exactly where we stand in literacy as far as 8-, 13- and 17-year-old youths are concerned. We can measure the growth from year to year, to see where we are successful and where we are having our failures.

Two, I think we have bottomed out in our literacy deficiencies. We now have a definite upsurge, and we have evidence to indicate, through national assessments and State assessments, that we are starting to improve; not enough to be excited about, but definitely to improve.

Three, I think the States are taking a tremendous leadership role. When I was State Supervisor of Reading a number of years ago we had three state programs. Now we have a state leadership program in every state. We think that is tremendously important.

Four, I think there is no question that we now have the educational expertise and knowledge of how to solve the literacy problem in the United States. Our problem is not that we don't know what to do. Our problem is getting this information down into the classroom. Our problem is getting agencies concerned with literacy to work together as a team in cooperation, instead of conflict.

This is the goal that we direct Right to Read to follow in the coming years.

Thank you.

Chairman PERKINS. That is a good statement.

Go ahead, Mr. Snyder.

[The statement of Mr. Snyder follows:]

Testimony of State Senator Joseph M. Snyder
Michigan Senate
State Capitol
Lansing, Michigan 48909
(517) 373-7315

Congress of the United States
House of Representatives
Committee on Education and Labor
Subcommittee on Elementary, Secondary, and Vocational Education
July 13, 1977

Honorable Members of Congress:

Michigan's pioneering adventure paperback reading room program is entering its third year of operation. It continues to grow both in size and in interest.

The state appropriation and 1/3 local matching formula is generally oversubscribed. Following is a summary of state appropriations and local contributions to date:

YEAR	STATE APPROPRIATIONS	LOCAL MATCH	TOTAL
1975-1976	$247,300	$ 82,000	$329,300
Supplemental Appropriation 75-76	$ 25,000	$ 8,500	$ 33,500
Supplemental Appropriation 75-76	$ 72,000	$ 24,000	$ 96,000
TOTAL 75-76	$344,300	$114,500	$458,800
1976-1977	$400,000	$133,300	$533,300
1977-1978 (As passed by the Legislature)	$550,000	$183,300	$733,300

In 1976-1977, of the 581 school districts in Michigan

498 participated fully in the paperback program

2 participated partially (had something less than a full grant)

81 did not participate

581

The Detroit metropolitan area and the Highland Park public schools where there are high concentrations of low income families and underprivileged children participate heavily in the paperback program.

The program because of its informality and accessibility has a high degree of appeal to children, parents, and educators alike.

This fascinating reading room program literally "traps" students into situations in which they experience reading as being fun and interesting. There are no check-out requirements, no book reports, and no tests. Kids read because they like to and because it is fun!

Congressman Dale Kildee and Congressman Carl Pursell were two important architects of the Michigan program and followed it closely through its second year of life. The people of Michigan are grateful for their early and continued support of the paperback program.

The concept of using paperback books to encourage children to read is an exciting one. The further use of paperback books as an instructional tool to improve reading skills has unlimited potential. The Congress has recognized the value of paperback books in authorizing the Reading Is Fundamental (RIF) program. I commend the Congress for their action in creating and funding this program. I would recommend that the adventure

paperback reading room program also be expanded at the federal level. Federal assistance to states interested in encouraging the establishment of adventure paperback reading rooms would be invaluable.

The Michigan reading room program model could be made available to other states in the union with federal assistance and support.

We would be honored to have Michigan considered a demonstration state for possible future expansion of this program.

Attached is a copy of the language explaining the program as it appears in the Michigan Department of Education budget bill for 1977-78.

Thank you for the courtesy you have extended me and for your interest.

EXCERPT

REPRINT

HOUSE SUBSTITUTE FOR

SENATE BILL No. 209

(As Passed the House June 21, 1977)

Sec. 25. (1) The appropriation of $550,000 contained in section 1 for grants for paperback libraries shall be used for grants to school districts for the acquisition of high-interest paperback libraries housed in reading rooms or reading centers in schools to stimulate and sustain student interest in reading and to encourage students to use and expand reading skills. Paperback libraries shall be considered an auxiliary service under section 1296 of Act No. 451 of the Public Acts of 1976, being section 380.1296 of the Michigan Compiled Laws.

(2) To receive funds, a school district shall provide from its school district funds 25% of the total funding for the reading program funded under this section.

(3) Not more than 15% of each grant shall be used for display racks and devices. None of these funds shall be used for ordering, receiving, and processing costs.

(4) Funds shall be used to establish a reading room in a single school building within each district, except where this will result in the establishment of a reading room which contains more than a maximum number of 3 books per student in that building. When funding will result in a reading room with more than 3 books per student, a district may establish reading rooms in additional school buildings.

(5) In applying for and accepting a grant under this section a school district shall agree to all of the following:

(a) To provide physical space for the collection.

(b) To provide responsible parent volunteer, paraprofessional, or professional supervision of the collection.

(c) To provide simplified circulation and book accounting procedures to encourage high utilization versus preservation.

(d) To provide direct student participation in the selection of the collection. Book selections shall be made by individual school committees composed of students, parents, and faculty. Librarians and reading specialists related to the school shall be represented on the committees.

(e) To provide that the collection be open and available during school hours, and to permit operation of the high-interest paperback libraries during preschool and postschool hours as feasible. The collection shall be available as an open library.

STATEMENT OF HON. JOSEPH M. SNYDER, STATE SENATOR, MICHIGAN STATE SENATE, ACCOMPANIED BY IVAN LUDINGTON, SR.

Mr. SNYDER. Thank you very much, Mr. Chairman.

I am honored to be able to present to this select committee the results of some of our work in the State of Michigan. I know you might be interested in my comments because you people have engineered and you people have designed these programs.

Now, I am coming to you as a mechanic, and letting you know how the vehicle you have designed is actually working in the field.

You have done a good job, and we are very encouraged by your program.

Our program in Michigan is a most exciting one. We pioneered the Adventure Paperback Reading Program, and we are in our third year of operation. It continues to grow every year, both in size and in interest.

Not only have we taken advantage of some of the Federal money, but we have tried to say that we have a responsibility as a State government, and we have been putting our own resources in.

The State appropriation and one-third matching formula is generally oversubscribed in Michigan. In Michigan, here is a summary of what we have done as a State and local operation in three years of operation.

In 1975 and 1976 we came up in a period of great austerity and great depression with $458,800. The second year we increased this to $533,000, and this year the Michigan Legislature passed a bill which provides for $550,000 in State money, and it is implemented by $183,300 local money. That means we are putting in three quarters of a million dollars this year.

It is an excellent program, and it certainly meets with the outstanding needs that Mr. Schiffman points out. We are excited by his testimony because we feel that the Michigan program can be the vehicle to implement many of the areas that this committee will be recommending.

I know the ethnic program—Congressman Kildee, when he was a member of the legislature was a very great proponent of the Latino educational program, and certainly we can use paperbacks to encourge them.

We have a great population of Poles, Germans, in Michigan, and in fact in our Aging Committee hearings we found that the language barrier was a great barrier, and many of the old people did not know the services that were available for them because of the language barriers. Certainly the reading program that you enunciate here will be most helpful.

This is a program also that fits the private sector into the governmental effort.

Mr. Chairman, I am derelict in my duties because I took too much for granted. I assumed that Mr. Ludington would have a little spot on the panel. If in your wisdom you can give him a few minutes, he will explain to you how the private sector does fit in.

He has a large installation in Detroit. He has recently opened up a shop in Dayton, Ohio.

Chairman PERKINS. We will call him up at the conclusion of your testimony.

Mr. SNYDER. Thank you very much.

I understand he is now in Louisville, Kentucky, opening up a distribution point out there. So here we have the private sector working hand in hand with both local, State and Federal government. I think it is the most exciting program that we have.

We have 581 school districts in Michigan. Last year 498 participated fully with the one-third matching grant. Two participated partially and 81 did not participate, but I understand they had some severe financial problems that they solved, and they will be getting into the program this year.

Of great consequence are the Detroit metropolitan area, and Highland Park schools, where there are very high concentrations of low income families and underprivileged children participating heavily in the program.

The program, because of its informality and accessibility, has a high degree of appeal to children, parents and educators alike. It is wonderful to have this program going through the school, and having the parents work hand in hand with the children and educators, and come up with an adventure reading room program.

This fascinating reading room program literally traps the students in the situations in which they experience reading as being fun and interesting. There are no check-out requirements, no book reports, no tests. Kids read because they like to, and because it is fun.

I don't know about you fellows, but I learned to read by the Nick Carter pulps I used to smuggle in the house. I could not stand the Shakespearean stories and Oliver Twist, but I loved Nick Carter, and that is how I learned to read. I suppose that is one of the

reasons I am a Senator now, because I did have a good basis of learning to read.

We are very proud that Congressman Kildee and Congressman Pursell were two important architects of the Michigan program. The people in Michigan are most grateful for their early and continuing support of the paperback program.

Chairman PERKINS. I just want to congratulate your people of the great State of Michigan for sending two such fine, outstanding members to the United States Congress.

Mr. SNYDER. Thank you. Our loss is your gain.

You know, Dale used to sit next to me on one side, and Carl on the other side, and fortunately they both voted the same way because I was torn sometime which way to go. Carl, as a member of the minority party, and Dale, as a member of the majority party, were certainly an inspiration. They saved my political life many times by following their vote. I do appreciate that.

The paperback program is an instructional tool, and it can be used to improve reading skills and has unlimited potential. The Congress has recognized the value of paperbacks in authorizing the Reading is Fundamental program. I commend Congress for their action in creating this program.

I would recommend that the adventure paperback reading room program also be expanded at the Federal level. Federal assistance to the States interested in encouraging the establishment of adventure paperback reading rooms would be invaluable.

The Michigan reading room program could be made available to other States in the Union with additional Federal assistance and support. We would be honored to have Michigan considered a demonstration State for the possible future expansion of this program.

I am attaching to my testimony a copy of the language in the current educational bill for 1977-1978. In researching out this problem, I found that the Federal Government is participating in a very active and needy goal, Project Read, which is the American Correctional Association. That is the group that takes kids put into a juvenile institution and exposes them to reading material.

I know this is one area that has been an outstanding part, and it is headed by one of your people out here, Dr. Janet K. Carsetti.

In closing, I think we ought to also give full consideration and pioneering work of Dr. Fader, from the University of Michigan, who has been of great help to us in our program.

Mr. Chairman, let me tell you I am indeed honored to be able to come to present to this group what I think has been a very exciting program, and we are most appreciative of the help we have received from the Federal Government.

Thank you very much.

Chairman PERKINS. Mr. Ludington, do you have a brief statement you would wish to make at this time? If you have a prepared statement, it will be inserted in the record without objection.

[The prepared statement of Mr. Ludington follows:]

PAPERBACK READING CENTERS AS AN INTEGRAL PART OF A PROGRAM OF EXCELLENCE IN READING INSTRUCTION

House of Representatives
Committee on Education and Labor,
Subcommittee on Elementary,
Secondary and Vocational
Education

B-346C
Rayburn House Office Building
Washington, D. C. 20515
Attn: Carl D. Perkins, Chairman

ATTACHMENTS

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Presentation by: Ivan Ludington
Ludington News Co., Inc.
Detroit, Michigan 48211

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PAPERBACK READING CENTER CONCEPT - Presentation by:

Ivan Ludington
Ludington News Co., Inc.
Detroit, Michigan 48211

On Friday, July 26, Governor William Milliken signed into effect a $ 1,000,000.00 piece of legislation designed to make reading "an exciting, joyous adventure" for Michigan's school children. Senate Bill 1135, Section 25, represents a major breakthrough in education; its passage marks the first time state support has been given to schools for the primary purpose of stimulating children's interest in reading.

Called, the Adventure Reading Room program, it began in 1965 under the premise that students who have difficulty reading standard school texts in the formal atmosphere of the classroom will read freely if supplied with materials that they want to read and informal surroundings in which to read.

Designed to operate in conjunction with the school and its existing facilities, the Adventure Reading Room provides an opportunity to read books for pleasure.

Ideally, an Adventure Reading Room is an entire, separate room, saturated with paperbacks; a total environment for relaxed, leisure reading. The materials are displayed drugstore-style on

spinners and standing wall racks so their bright, attractive covers are fully visible.

In a Reading Room or Center, there's something for everyone: the sports fan, the whodunit devotee, the science fiction buff, the Peanuts freak, and the whole earth disciple. The sheer quantity of books boggles the mind. (For once, they'll have trouble deciding what to read first ! ! !)

The atmosphere of an Adventure Reading Room is thoroughly exciting; there's nary an assignment, book review, or overdue book fine to contend with. And creature comforts like wall-to-wall carpeting and beanbag chairs (frequently pet projects of PTA's or Student Councils in schools with rooms) simply serve to enhance this no-hassle environment...an environment where students thrive... an environment where they learn that reading can be FUN!

This attitude change is the primary goal of the program. A Wayne State University Reading Miscue Research team who performed the first comprehensive study of the Reading Room program found a dramatic increase in students' reading once they discovered that reading paperbacks in a no-pressure atmosphere can be enjoyable. When asked, the students named the availability, variety, and attractiveness of the non-traditional materials, plus the informality of the Room

itself, as the reasons for the surge of interest in reading.

Prior to the passage of the Reading Room legislation, two Michigan cities, Garden City and Port Huron, had installed Ludington Reading Rooms district-wide, on an experimental basis. And the enthusiastic response of all concerned, parents, teachers, and students, is eloquent testimony to the program's success.

Teachers mention their students' increased appetite for books; librarians, the overall increase in circulation stimulated by the paperbacks. Many a librarian has reported students asking for books in hardcover if the paperback Reading Room copy was in use, and others claim their overall circulation has more than doubled!

Port Huron reported a dramatic increase in community interest since the opening of the Rooms, a valuable and somewhat unexpected offshoot. Parent participation has ranged from fund-raising for carpeting and chairs to volunteer supervision of the Rooms themselves.

And the kids? Only time will tell, but it is my belief these kid-readers of today will be the adult-readers and doers of tomorrow.

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PHILOSOPHY, CHARACTERISTICS AND GUIDELINES
for the Establishment of a Paperback Reading Center

Objective Research indicates the importance of self-selection and self-pacing in reading instruction, two of the most important characteristics in the Paperback Reading Center Concept:

> "Based on the philosophy that everyone reads at a different pace, and would rather select her own reading than have it selected for her, individualized reading meets the criteria of self-selection and self-pacing. This is a method that works best with students who have a basic sight vocabulary and are ready for 'book talk'.
>
> For the process of self-selection to work effectively, a classroom library containing materials at various levels is essential. One of the best resources of high interest-low level reading can be found in paperback books. Pages 34-58 of this handbook offer a graded and non-graded list of the hundreds of paperback books available. While knowing what reading level a book is may be helpful, teachers should remember that motivation of the learner is usually more essential than level. Many so-called non-readers have read material at levels far above their estimated ability, simply because they had a purpose for reading.
>
> When selecting materials for a classroom library the breadth of interest areas is as essential as varying reading levels. Most students will select something to read because of their interest in a topic. Grouping magazine articles and books according to interest is helpful to a student trying to select something to read. Even packaged reading programs that offer short stories or novels with indicated reading levels can be regrouped according to interest. It is more likely that an adult will select a book labeled 'Car Repair', 'Love Stories', 'Science Fiction', etc., than one labeled 'Fourth Reading Level' or 'Purple Level'.
>
> In addition to paperback books and literature samplers, a classroom library could house magazines, old library

books, comic strips, telephone books, newspapers and functional reading packets. Doctor's and dentist's offices are good resources for free magazines at the end of the month. Public libraries have sales at least twice a year when old or damaged books go for as little as two cents. News distributors frequently donate stripped (covers removed) magazines and books to schools. One resourceful teacher even goes to her local recycling center for paperback books and the like.

Self-pacing with the materials selected is a simple process. With a given amount of time set aside each day for free-reading, students read at their own rates. Many schools have instituted the idea of sustained silent reading programs. Knowing that the practice of reading improves reading ability, sustained silent reading encourages everyone to read anywhere from 10 to 25 minutes during each school day. During this reading period, which may interrupt physical education classes, vocational training or even math, students begin to realize the importance of reading as they see everyone else reading. This includes teachers, clerks, principal, custodial staff or anyone who might be in the school during that time.

Teaching skills when using individualized reading can be accomplished two ways; conferencing and skill grouping. When a student completes a book or article, a teacher-student conference is held. During this conference, the student may:

a. Read orally to the teacher from the selection she has completed.
b. Discuss her reactions and feelings about what she has read.
c. Seek assistance in selecting a new book or other reading material.
d. Receive individualized instruction in a specific skill area.

During this same conference the teacher may:

a. Ask comprehension questions on the material read.
b. Record oral reading errors.
c. Introduce a new skill.
d. Assign the student to a skill group.

The process of skill grouping is an advantage of individualized

reading in that it allows for all students to be grouped according to their specific strengths and/or weaknesses in reading. For example, all students needing help in syllabication will be in one group, all those working on inferential thinking skills in another and so on. These groups change as students become efficient in that area.

Strengths

a. Allows for self-selection, thus built in motivation.
b. Allows for self-paced reading.
c. Provides for individual and small group instruction.

Weaknesses

a. Dependent on quantities of multi-level, multi-interest reading materials.
b. Dependent on teachers' diagnostic ability to assess strengths and weaknesses.

Individualized reading is not for the beginning reader. It is best for the student who can function independently or semi-independently. It is highly motivating and can provide success for all students."

Literacy: Problems and Solutions, American Bar Association, Clearinghouse for Offender Literacy, Washington, D. C., 1975, pp. 8-10.

RESEARCH SUPPORTIVE OF PAPERBACK READING CENTERS

No one delivery system for teaching reading is adequate to meet the individual rates, styles and needs of all children. Right to Read advocates a multiplicity of approaches, with a crucial component of any given delivery system being a means to stimulate children to read. Educators tend to agree that reading skills improve with practice and that if methods can be identified to motivate children to read more, one component toward the solution of Michigan's reading problem will have been attained.

One approach presently used in a few Michigan schools to increase children's motivation to read is the paperback reading room. Existing supportive data for the establishment of paperback reading rooms is primarily not of a hard statistical nature; however, several extensive studies reveal that students, teachers, parents, and librarians tend to agree that the existence of these reading rooms effects desirable changes in the attitudes of most students toward reading and leads both the reluctant and the avid reader to read more.

Perusal of the literature and conversations with students, parents, and professionals indicate that the following characteristics

of the paperback reading rooms contribute to their obvious success: (1) students appreciate the simplified checking-out procedure, the absence of time restrictions for reading a book, the absence of fines for late or lost books; (2) students respond to the colorful, attractive, appearance of the paperbacks which they find inviting; (3) students like the size of the books which are easy to carry about and to hold; and (4) students like the current, varied, relevant, high-interest content of the paperbacks.

CHARACTERISTICS AND GUIDELINES FOR A PAPERBACK READING CENTER

1. The paperback reading room serves as an adjunct to the library and provides an informal school facility for pleasure reading.

2. The paperback reading room is attractively arranged and provides an informal environment.

3. The paperback reading room is stocked with an ample supply of current magazines, newspapers, and paperback books reflecting a wide range of difficulty and interest.

4. The paperback reading room does not impose fines for lost books and there are no time restrictions for reading a particular book.

5. Students are not required to write book reports, take tests, do other assignments or be assigned grades. Students select books read only on the basis of their individual interests and pleasure.

6. The procedure for checking out books is simplified and does not follow formal library procedures.

7. The paperback reading room is open to all students and provisions are made to assure that all students have the time and opportunity to use the room regularly.

8. An advisory council comprised of students, parents, teachers and librarians establishes criteria for the selection and purchase of the books, magazines, and newspapers.

9. The paperback reading room is supervised by a volunteer, paraprofessional and, in some instances, by the students themselves since reading there is not assigned and formal library procedures are not required.

10. The paperback reading room is open during and after regular school hours to provide access to the whole community.

11. There is some provision for students to keep a book of their choice. Community resources and organizations are encouraged to provide the human and financial resources to implement and maintain a paperback distribution program. (Information regarding one such program, Reading Is Fundamental, sponsored by the Smithsonian Institute, in other research.)

12. Efforts are made to secure the involvement and support of parents and community groups for the reading rooms. These groups may provide carpeting, curtains, and particularly, volunteer hours in the reading room.

BRIEF EXCERPTED TESTIMONIALS CONCERNING PAPERBACK READING CENTERS:

"The core of our work is to help our young people to read well. Your paperback books and magazines help them to become very well read. The two go hand in hand which throughout the lifetime of these young people can open up new vistas of learning, new interests and eventually develop more wholesome personalities."

Garden City Public Schools
Garden City, Michigan 48135

"Harrison had a total of eleven semester courses which involved reading instruction. Each of these classes contained an average of at least 20 students. In addition, Harrison is a district center for the Special Education Department, and several handicapped students could also be served from this program.

Ludington's policy of distributing periodicals reflects a philosophy of Harrison's reading teachers, i. e. if students are to read efficiently, they must enjoy reading. The large array of periodicals on high-interest subjects which Ludington offers makes it easier for us, as teachers, to achieve this aim."

Harrison High School
Farmington, Michigan 48024

"I have consistently encouraged our teachers to take advantage of paperback books in the classroom. Several classes have taken their annual field trip and used it to visit Ludington News to select paperback libraries for their classrooms!..

We are interested in expanding the printed media in the classrooms through the use of magazines."

Brighton Area Schools
Brighton, Michigan 48116

"Our students just 'beam' as they come in and leave the paperback library with a 'handful' of books. They remember when our pick-up date is scheduled and look forward to each month's magazines. Your magazine service is very helpful to those students who show little interest in 'regular' books. They read the magazines with great enthusiasm as many of them do not have the opportunity of having magazines at home."

Roseville Community Schools
Roseville, Michigan 48066

"The interest in independent reading and magazine usage has greatly increased as pupils had so many opportunities to handle the good variety...

After final use the magazines have been given as prizes to be taken home - thus getting them into many homes where we hope they serve as magazine and reading motivators for entire families of children. Many of our children do not have access to books and magazines except as the School makes them available, and we certainly cannot afford the variety you've provided."

Hazel Park Public Schools
Hazel Park, Michigan 48030

"As you are aware, children who experience failure often 'cringe' at textbook type work, but they enjoy reading from other materials, such as the magazines, which do not carry a school label. The puzzle books, Sesame Street and Jack & Jill are in use constantly as a teaching resource. The Sports, Motorcycle, Car and other type magazines provide a high interest reading program for the older children for whom it is often difficult to get material.

I would like to 'Thank you' for your interest in our schools and children, you are truly an educator's right hand."

Forest Park Elementary
East Detroit, Michigan

"From my observations the relevancy of magazines in the curriculum area is unequalled unless by paperback books. I have seen students eagerly using such materials

in all areas of Reading: Developmental, Content Area and Recreational."

Davison Community Schools
Davison, Michigan 48423

"The achievement test for our school this year have indicated that Washington School students do perform better than other students in similar schools and communities in the Ferndale School District.

We feel that giving the students their own magazines to read and enjoy has provided the spark of interest and motivation so necessary to a successful reading program. Reading for fun and enjoyment has always been an important part of our reading program."

George Washington School
Ferndale, Michigan 48220

"There is no doubt that paperbacks and magazines are an enriching part of a number of classes. They are used in a basic ninth grade class as well as in Practical Writing and Expressive Writing classes. They are later sent to other departments for various class projects.

We, again, thank you for your consideration. Reading and writing skills have improved significantly with the implementation of new reading and writing courses at Schafer High School. To a great degree the paperbacks have been a boon to their success."

Schafer High School
Southgate, Michigan 48195

"The Hosmer School is very excited about the development of a Paperback Reading Center which is now being set up in the library. We know from past experience that children relate well to paperback books and so we are delighted that this material will soon be available to every boy and girl at Hosmer."

Mrs. Lila McMechan
Region Seven Superintendent
Detroit Public Schools
Detroit, Michigan 48224

"This program would appeal to you. We are endeavoring to provide a high school level education through teaching regular high school courses and through refresher courses leading to passing General Educational Development tests which give a high school equivalency certificate. In addition we teach English as a second language and basic reading and mathematics to people who are really educationally deprived. We make real use of paperbacks and magazines. They are also a major component in our program that is conducted with prisoners in our program at the St. Clair County Jail. You can see that your influence has been expanded to a whole new audience."

Port Huron Adult
Community Learning Program
Port Huron, Michigan 48060

"Thanks so much for allowing our children to come and visit Ludington News. For some, it was the first time that they were able to buy a book for their very own. The bus trip home was very quiet as many heads were buried in a book."

Whitmore Lake Public Schools
Whitmore Lake, Michigan 48189

"Our staff is aware of the fact that a school completely dominated by textbooks is an unreal environment for kids--a world that doesn't seem to relate to the real world in which the kids live. The magazines and periodicals and paperbacks tend to provide a bridge between the two worlds. They also give children a great variety of reading materials which will attract the large number of interests that we find represented among our children."

Port Huron Area School District
Port Huron, Michigan 48060

"The paperbacks and magazines have set a new spark in reading excitement and pleasure at Mason.

It has been very heartwarming to observe our many primary grade students, as well as a few low level readers from the upper grades, enjoying daily visits to the reading room.

Grosse Pointe Public School System
Grosse Pointe, Michigan 48236

"Your magazines and paperbacks were a treat which improved attendance and decreased tardiness with my present conference class. Similar results were noted 1975-76."

Detroit Public Schools
Burns Public School
Detroit, Michigan

"It is a pleasure to report that our paperback program has been quite a success this year. Various reading tests indicate that our students gained quite a bit. Besides academic growth, many strong positive attitudes were established. Most students had a tendency to carry these new attitudes back to the classroom and seemed to do much better while working independently."

Myers Elementary
Taylor, Michigan 48180

"Unfortunately, at this date we score low on our basal reading tests and rank third from the bottom on the Michigan Assessment. Our teachers work hard - but against great cultural deprivation. Few homes receive newspapers, magazines and soft or hard bound books. The first breakthrough we had in this area was a book fair handled through your firm, which proved more successful than anticipated. With your help, I feel we can do even more to encourage reading by placing magazines in our classrooms and possibly in many homes.

Roseville Community Schools
Roseville, Michigan 48066

"I was having a lot of trouble motivating my fifth grade class this year. There were several children who did not finish their assignments and several more who worked very haphazardly. In desperation I started giving

tokens to the children who did their work on time and correctly. Ten tokens may be redeemed for puzzle and work books (magazines) which our library teacher had obtained from your company.

This technique has worked beautifully! My children are doing much better academically, and their language skills are further reinforced by your excellent puzzle magazines. The children love the word games (all kinds) and work hard to earn them."

Newton Elementary School
Detroit Public Schools
Region 4

"I can assure you that there can never be too much material to meet the students' reading/browsing habits--there always seems to be too little available!"

Port Huron Area School District
Port Huron, Michigan 48060

"We are interested in giving our reluctant and slow readers (school-wide) an incentive to develop a desire to read. We have found that most of our youngsters display a high interest level when they are presented with paperbacks and magazines."

Miller Middle School
Detroit, Michigan 48207

"I feel that many of our students are now reading material that was not readily available to them in the past. It is our intention to continue to maintain the paperback portion of our Reading Room."

Port Huron Area School District
Washington Intermediate School
Port Huron, Michigan 48060

"Our children seem to have learned a greater respect for reading materials because they have been placed on their honor to return them before checking out another. This of course, is not an absolute requirement, but they

almost always do, and it shows they are concerned about sharing with others. Our lack of an adequate supply of magazines in the past has caused us to try to get our very best mileage from what we do have. When they become too tattered and worn to remain in circulation, they are retired to a special shelf and made available to teachers and students alike to cut up for pictures and articles for individual reports, projects and art creations."

Beecher Community School District
Flint, Michigan 48505

"Remember over a year ago when you supplied books to one of our fourth grade classrooms? Well the children were administered the Botel Reading Inventory Word Opposites Test (Reading) in November and the B Form of the same test in June. The test results indicate that overall the children showed a gain of 1.06 in reading in this room. Some children showed remarkable gain."

Algonac Community Schools
Algonac, Michigan 48001

"I should also like you to be aware that as a part of the Michigan Paperback grant we have been the recipient of several numbers of copies of paperback books. These paperback books are greatly enjoyed by the students and are eagerly sought because of their timely topics."

West Bloomfield Schools
Birmingham, Michigan 48010

"Like your reading room programs in the schools, this program (the storymobile) is having a very positive effect on the reading habits of students. Even the reluctant readers are becoming 'hooked on books'."

L'Anse Creuse Public Schools
Mount Clemens, Michigan 48043

"It has been interesting to notice that many students who are basically poor readers have taken a liking to the reading room. They constantly ask their teachers if they may come to the room. Thus, many of our reluctant readers are engaged in recreational reading.

Pelham Middle School
Detroit Public Schools
Region 1

Mr. LUDINGTON. I appreciate very much the honor given me by being able to talk to you gentlemen.

Our school system in Michigan is lousy. The primary kids can't spell, they can't read, they can't write. A little boy was coming down the avenue with his father, and he said, 'Dad, what does that sign say there?' His father said, 'Can't you read it?' He said, 'No.' And he said, 'You are in the tenth grade.' He said, 'That says Grand Trunk Railroad.'

Now, I have run into so many of these cases of employees who want employment. They are good and husky, they could do the job, but they just can't read or write.

I hope some day that the dream that I have had will be something like Martin Luther King had, where he could see the light of everything.

I do believe every child, no matter what his ancestry is, or anything else, I believe he has the right to an education. I think our family has fought that thing through, when some of them dressed up as Indians and tossed the tea in the harbor. They went through the battles.

Sybil Ludington took her horse out for a ride one night, like Paul Revere did. Without boasting, we take our returns of our magazines to the tune of about 350,000 copies a month that we give to the poor neighborhoods of our school system.

I could bring half a bale of letters from those kids. I just wish to heavens that something could be done that Michigan would be the forerunner state of this plan. I am willing to do my share.

Thank you.

Chairman PERKINS. All right. You have made a very good statement.

Our next witness is Mr. Edwin Cain.

Go ahead, Mr. Cain.

[The statement of Mr. Cain follows:]

NATIONAL READING IMPROVEMENT ACT
OVERSIGHT HEARINGS

Rayburn Office Building
Room 2175
Washington, D. C.
July 13, 1977

SUBCOMMITTEE ON ELEMENTARY, SECONDARY
AND ADULT EDUCATION

of the

U. S. House of Representatives
Education and Labor Committee

Statement by:

Edwin E. Cain, Director
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Mr. Chairman and Members of the Committee:

Thank you for the opportunity to speak to you today about H.R. 7571 as it amends the National Reading Improvement Program.

Title VII of the Elementary and Secondary Education Amendments of 1974 is a composite of legislative action which authorizes six programs or activities to address the problems of reading deficiencies among pre-school children, elementary students, and adults. It includes grants to schools for elementary and pre-elementary projects under Part A; State Reading Programs under Part B, which will not be "triggered" until Part A funds exceed $30 million; and grants for Reading Academies and Reading Emphasis Projects under Part C. In addition, the U. S. Office of Education is authorized to contract for studies and programs in reading training on public television, National Impact Reading Programs, and the distribution of books for reading motivation.

Public Law 94-194, authored by Congressman Albert H. Quie, amended P. L. 93-380 so as to continue the State Leadership Training effort which was initiated with the Right to Read Program under the expired Cooperative Research Act.

After two to three years of operation, we have a much better view of the legislation needed to impact the problem of reading deficiencies in this country. The progress in the states has been dramatic even though the funding level for states has been decreasing. In FY 1975, $6.3 million was

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allocated to 31 states. InFY 1976, $5.8 million was allocated to 49 states. FY 1977 greets us with a further reduction as participation increases in the territories, the outlying areas,and the District of Columbia.

While appropriations for education is unfortunately not a function of this Committee, it is important to note that while funds have decreased, progress has continued, but not at the rate it should.

While this Committee did hold hearings, and in fact initiate the Amendment to Title VII of P. L. 93-380, there has been no opportunity for hearings on the original Title. I am pleased to report that other than resources, we have no problems with Mr. Quie's Amendment. We do have concerns with other secions of the Act.

The basic thrust of the Reading Improvement Program was the funding of individual reading projects in elementary and pre-elementary programs in schools. Good criteria was established for the funding of these school programs ; however, a very small percentageof the hation's children are affected by this effort.

Last year, in Fiscal 1977, only 145 projects were funded throughout the entire country. In Minnesota, only one project was funded--one school district out of 437 total districts. And within that project, funds were available for only one of the 85 schools in the district. At this rate, it will take us over 2,000 years to provide help to all children within the state.

Another section of the Title is the Reading Emphasis Program which operates on the hypothesis that reading specialists should be placed in all first and second grade classrooms. Nine of these projects were funded nationally involving fewer than 5,000 children.

The potential of the reading academies are greater because they are training tutors to work with adults with reading problems. Each tutor trained can serve many adult non-readers, as well as train other tutors. About 82 of these projects were funded during this fiscal year. But even in this program there is no strategy to resolve the problem of adult illiteracy. Projects alone do not solve the problem unless they are a part of a total comprehensive plan.

It was Mr. Quie's amendment and the subsequent passage of P. L. 94-194 that has resulted in the greatest impact on correcting the national reading problem. The State Leadership and Training Program provides resources to the States to assess the reading needs, to train reading leadership at the local level, and to provide technical assistance and support services to local school district reading programs.

In 1974, only thirty-one states were involved in this national effort, yet the state agency program was able to establish Right to Read Programs in 1,287 school districts, and provided in-service training for more than 60,000 teachers. This program affected 3.7 million students both at the elementary and secondary level. This entire effort over a three-year period

was conducted at a cost to the Federal Government of only $5.3 million under the now expired Cooperative Research Act.

By June, 1975, the number of school districts participating in the State Right to Read Programs increased to more than 3,400.

Today more than 6,000 reading directors have completed training programs. These newly attained skills will enable them to address the critical issues in their local school districts and to structure and implement programs designed to eliminate reading failure.

Each participating school district has made a commitment to reading excellence, established a plan to attain these goals, and has initiated activities to respond to program deficiencies. The state is charged with the task of providing support services and assistance to school districts as they develop their comprehensive reading programs.

In Minnesota we have taken seriously the fact that successful reading programs are not the result of any single factor, but the result of carefully selected components molded together to form a "Gestalt" or a total effort. We work closely with other organizations and support their programs as well.

In the 1976-77 school year, Minnesota Right to Read and the National Multiple Sclerosis Society combined their efforts to head the nation in the MS Read-a-thon. Some 17,000 children in 450 schools read a quarter of a million books, according to Carl Eller, State Chairman.

More than 3,200 Junior Great Books program leaders have now been trained and are working in schools from the Canadian border to Iowa. According to organization leaders, Minnesota, through Right to Read, now has the largest number of trained co-leaders in the nation.

The Minnesota Literacy council, in cooperation with the State R_2R effort, has grown from an organization of several dozen adult tutors in the Twin Cities to nearly 3,000 tutors working with adult non-readers in 114 projects in every part of the State.

The purpose of emphasizing this amazing progress since 1973, is to show the impact of an effective delivery system. This structure of state, regional, and local reading directors, serving 313 public and 136 non-public school districts, is the direct result of the State leadership and training program authorized under this Act.

The major problems we have experienced with the legislation have been addressed in H.R. 7571.

1. *No provision for reading programs at the junior or senior high school levels.*

   Instructional practices have enabled educators to work effectively with secondary level students as well as elementary students. The existing legislation does not permit projects to be funded for these students.

2. *The reading improvement projects provide little support toward the attainment of state reading goals and objections.*

If states were authorized to distribute their proportionate share to local districts, many more districts could be served. The criteria for funding projects by USOE is already a part of our State Right to Read standards. H.R. 7571 provides for this need by giving the responsibility of determining funding procedures and approval authority to the state agencies.

The Bill retains the language and the authority of the U.S. Office of Education in the support of reading academies. Some of these grants are made to community organizations. The difference of authority among state agencies in regard to working with these groups are such that we support the retention of the administration of this program in Washington.

The Bill requires any reading academy program application made by school districts to first be approved by the State Reading Advisory Council. This approval is to be made on the basis of criteria established by the Council. This change is consistent with the other sections of the Bill.

In 1969, the late Commssioner of Education, James Allen, conceived a program designed to eliminate illiteracy by 1980. He called it "the Right to Read". It was more than three years before any funds were available, and another three before any reading legislation became law.

Less than $50 million has been appropriated toward his goal during this decade; yet, the program persists. The National Right to Read program is not named in any legislation; yet, it's recognized by millions of men, women, and children from Alaska to Florida.

H.R. 7571, for the first time, pulls together those concepts envisioned by Dr. Allen eight years ago. With the enactment of this Bill we will have a chance to accomplish that objective of a literate society. While we cannot attain this goal by 1980, it would be a realistic goal to strive for by 1990.

I appreciate the opportunity to speak in favor of these Amendments.

Thank you.

STATEMENT OF EDWIN CAIN, DIRECTOR OF FEDERAL-STATE RELATIONS, MINNESOTA STATE DEPARTMENT OF EDUCATION

Mr. CAIN. Thank you, Mr. Chairman, members of the committee.

I would like to speak to you today not only about the National Reading Improvement Program, but also about H.R. 7571, which amends this program.

From the State point of view, things sometimes look a little bit differently than they do from up here in Washington.

Chairman PERKINS. That is very evident, when you get back home.

Mr. CAIN. The one section, when Dr. Schiffman was talking about the bill, the Reading Improvement Program, that I think needs to be mentioned, because this was inserted in Conference Committee by the House conferees, and it is a very important part of the bill and one that we have not heard anything from, because it has a trigger mechanism on it that does not fund Part B until Part A reaches a certain level of funding.

The State reading program, under Part B is really the mechanism by which we set up a structure to get to the local districts, to make a real difference in the reading program.

Now, Public Law 94-194, which amended the bill, did indeed contribute much to this through the State leadership program effort. This was really a continuation of the State Right to Read program, which was originally funded under the Cooperative Research Act.

After two or three years now we have had a much better opportunity to take a look at just what this legislation has done and how it has impacted our States and our local school districts.

I should say just a little bit about funding levels, first of all. I know that is not the responsibility of this committee. I wish it were sometimes. However, the State leadership program, it should be mentioned that in 1975 there were $6.3 million and that was allocated to 31 States.

In 1976 there was $5.8 million, and this was allocated to 49 States. 1977 greets us with the further reduction, not because the money is reduced from $5.8 million, but because the outlying areas, the District of Columbia, and the territories, and the 50th State have been added to the program.

So, the popularity of the program in fact has made a decrease of resources for the participating States.

Now, the basic thrust of the Reading Improvement Program, or the largest amount of money, has been directed towards the Reading Improvement Program grants, demonstration grants, which are being directed towards elementary and pre-elementary schools. This has been a good program, but I want to talk about that in a little different way.

Now, there were 145 programs funded. Our biggest concern in the whole Reading Improvement Program, and Mr. Schiffman alluded to this, is the fact that we want to bring about some sort of change.

We are not pleased with the way the schools are addressing the educational issues, and how they are providing instruction. We are not pleased with the failures that we are producing in reading. We want to do something about it.

The State program is directed towards this by training leadership at the local level, and by giving them the support and assistance to make the changes that are necessary. We know what these changes should be. We know what the qualities of a good reading program would be. If we can assure that each child has this, then we can certainly assure that we are going to do a better job in reading.

Now, the difficulty that we have primarily with the Reading Improvement Program is the fact that last year, for example, 145 projects were funded throughout the entire country. In Minnesota we had one project funded. That project went to a school district that had 85 schools in that district.

So, with 2,000 schools, over 2,000 schools in the State, at that rate of impact it would take us 2,000 years to reach all the children within the school. What I am saying is that the demonstration program, while it does some good things in that particular school, is not a mechanism to bring about change in the system. That is really what we are about.

The other sections that I want to talk about are the Reading Academies program. The Reading Academy again has a greater potential than the demonstration programs because it has a multiplier effect. It is not providing direct services for students, but what it is doing is training tutors and training of tutors.

Consequently, when the Reading Academy program is funded, the impact of that program continues to go on year after year.

Now, Mr. Quie's amendment that he has offered in H.R. 7571 makes several significant changes in the bill.

The first one of the changes that I think is extremely important is that the bill as it stands now provides funds only for elementary and pre-elementary students, with the exception of the Academies, which provides programs for adults.

Now, we have found that we can indeed make a difference in the junior high age level and in the senior high age level with students having reading difficulties, and we have many of these. Yet, the

legislation does not provide the opportunity for working with students in those schools. We would like to see that changed, and the amendments do that.

Now, the Reading Improvement Projects—let me talk about the way these are suggested, the way these are offered in the bill, and also how this would be administered in the State.

Currently, the applications are funded in the U.S. Office of Education, and we have a very good working relationship with Mr. Schiffman and his staff. There is not a more dedicated group of people in Washington, I don't think, than his staff and he is. So, we have had good cooperation with them.

The State also has the authority, with the State Reading Advisory Council, to approve these projects before they come in.

Now, the concern, though, that we feel is not that the projects are not individually doing a good job in the school districts, but that the impact could be much greater if the States were given the opportunity and the flexibility to deal with these, to disseminate these materials in a somewhat different way that would meet their particular State needs.

For example, in Minnesota the past year rather than funding one project for one school, we would have used that amount of money to impact perhaps 20 or 30 school districts and said that we are having difficulty in moving into the State leadership training program.

This way we could have a greater impact over the entire State and over the period of years we could meld this type of program with the State leadership program for a much greater impact.

Let me just mention some of the things through the State leadership program tht we have been able to do because of the working relationship with the private sector. I am glad to hear the Senator speak of this today, because we feel this is very important.

During the past year we had a readathon program going on in Minnesota, which is a national program. The State chairman was a good friend of reading and a good friend of education. I am not sure how good a friend he is when he meets the Redskins—Carl Eller. Carl has in his leadership in that program donated much time and effort.

Last year, using the State structure that we have established through the State leadership program, we were able to lead the nation in the number of students that were involved in the programs and the number of books that were read.

The junior grade books program is another part that we worked with. Under the junior grade books program we now have more parent volunteers, 3,200 of them, that are working in all areas of the State, in an effort to provide this program to students in schools that before 1972 we had fewer than a dozen programs going in the State.

The Minnesota Literacy Council, where we work with adults, is another program where we now have over 3,000 tutors that we have worked with through the Right to Read program and trained, and are providing instruction to adult nonreaders throughout the State.

These are the types of efforts that can come about when you have a structure or mechanism to make things happen, where you have a

mechanism of reaching to the schools and providing a program that will be effective.

This is the primary concern that we have with the Reading Improvement Projects, then, is the fact that we feel that these could be more effective if the States had the flexibility to administer these programs and to make many, many grants, if they so felt, or if the need was there, to have one large grant. But so that at least the opportunity was there to do it.

You know, back in 1969, when Commissioner James Allen conceived the program to eliminate illiteracy by 1980—he called it Right to Read—it was three years before any funds were available at all, and three more yeas before we had legislation that we could plug into this program.

I would like to say at this time that we are probably not going to make our 1980 goal of eradicating illiteracy in this country, but I would like to say with the commitment that we have in our States and in our local school districts, and from the Federal level, and the concern that you gentlemen have shown for this problem in education, I think it would be a good goal to strive for for 1990.

Thank you.

Chairman PERKINS. That is a good statement.

Let me address a question to you gentlemen.

The preliminary findings of the National Institute of Education study on Title I show that Title I funds are being spent to a large extent on reading. Since the National Reading Improvement Act activities also seem to be focused in the elementary grades, is there any overlap between this program and Title I?

To your knowledge, are the activities conducted under Right to Read and Title I coordinated at the local level at all? I would like all of you to explain that because we are going to run into this question insofar as getting additional funds for these programs are concerned.

Mr. SCHIFFMAN. I would be very happy to lead off.

I feel very strongly about this subject. There is no question that Title I has a great deal of money spent in reading. In the past there have been, as I mentioned in my testimony, situations whereby these programs and many other programs were in conflict—not so much in conflict, but just simply did not interact.

One of the areas that we feel very strongly about is if we are going to solve this literacy program it cannot be one agency by itself. It is going to have to be a total interagency cooperation. We are already working very diligently in getting local, State and national organizations to start to interact together in a federation.

I can identify now several States, and we have already started to work with these, whereby the Title I people, the disadvantaged programs, are using the expertise, the technical expertise of the Right to Read to do their job more effectively.

It is my contention that Right to Read has to be more than a service agency to help these other large funded programs effectively solve the literacy problem.

Where we run into, in my opinion, a very, very negative reaction is when we have competing programs. We can no longer afford that stupidity and that kind of a situation.

My direction, sir, is that we are now getting the Right to Read people in many, many States to be the technical assistants, to work effectively with the Title I programs, to help them through teacher education, through in-service, using our degree of excellence, our diagnostic schools, our film strips, our materials, to train their people to do a more effective job.

Chairman PERKINS. Mr. Cain?

Mr. CAIN. I would like to just add to that a couple of examples—one in our State of Minnesota, and one in Indiana.

First of all, the Right to Read program, or the State leadership program as it is provided trains reading specialists or reading administrators to look at the total effort in reading and places them in the local school district.

Their role and function then is to work with all areas that are involved in reading. They work with programs in Title I, they work in programs for the handicapped, in programs that are bilingual, in programs for adult vocational and basic skills programs.

So, they have a broad parameter. They are the specialists. If they are doing their job well, they they are going to make each of those programs better.

Now, in our State, before our State Title I director will accept a reading project from a local school district, there must be a sign-off from that local reading director first becuase he has worked in the training program for those people, and as a result then he knows that if they submit a proposal, and it has been signed off by the reading director, then they have had the best type of technical assistance that they can have.

Now, in Indiana—I hate to take a back seat to them, but they have gone a step further than we have. Not only have they conducted training programs there for their Right to Read reading directors, or the reading directors in the local school districts, but they have also insisted and required that everyone involved in Title I programs throughout the State go through a training program as well.

This means the Title I directors at the local level, this means the teachers of Title I programs, and this means the aides that are working in Title I programs. As a result, they have increased the expertise of these people in reading considerably.

Now, the purpose of Right to Read is not an independent categorical program. It is a design, it is a mechanism to provide technical assistance and support, and to pull together the totality of the program, the gestalt, into such a manner that it will have a greater impact in all areas.

That is why there really cannot be conflict if they are working properly together.

Now, just one other thing to throw in—even if all of that wasn't working. In Title I we have in Minnesota—and I think this is a national figure, also—we are able to serve about 53 percent of the eligible children under Title I in our State. That means we have 47 percent, or nearly half, that are going unserved.

Now, what is going to happen to these youngsters and these youth. Many of them are junior and senior high school kids because

we have not been able to get any Title I monies into those grade levels because there has been inadequate funds.

So, I hope this answers it a little bit, but I think the two programs can work together as long as people understand that Right to Read is not a categorical program, but is a program designed to improve reading, no matter what the program is, and to work with Title I, handicapped and all the rest of them.

Chairman PERKINS. You mean it is general and not limited to disadvantaged, like Title I?

Mr. CAIN. No, sir.

Chairman PERKINS. It is general all the way across the board?

Mr. CAIN. This doesn't mean we don't give a lot of special emphasis to those children having special difficulties, because we do.

Like the Great Books program is designed for the gifted and talented students. In other words, the reading program that we designed through the Right to Read or through the Reading Improvement Act, State leadership program, is a program that affects all children. That is one of the strengths of the program because the community really gets behind a 100 percent program.

Mr. SNYDER. Very briefly, Mr. Chairman, I agree pretty much with the two previous speakers. I do have one reservation on the general program. It is the bottom line that counts. It is how much of that money appropriated actually reaches the place where it should, where the kid learns how to read, where the kid learns to improve his reading skill.

We had to put in our bill, for example, a limitation that no more than 15 percent of the monies appropriated would be spent for racks and hardware and other things. I find that this is probably one of the weaknesses that we have in the existing program.

There is sometimes too much money being put in hardware, in computerization of programs, too complicated check-out and cataloging, so by the time the money gets there, there is not much left.

If we could find some common denominator to achieve the goals, yet at the same time make sure the bulk of that money trickles down, I think we would be achieving our purpose.

Chairman PERKINS. One other question. The evaluation of the Right to Read state agency program conducted last year showed that the distribution of Right to Read services to local districts was not in accordance with national guidelines. [See Appendix 1-c]

Do you feel that there should be closer monitoring on the part of the Office of Education with respect to how States distribute funds and services under this program, or do you feel that the guidelines are too strict?

Would you comment on that?

Mr. CAIN. We welcome Gil or any of his staff any time that they want to come out and work with us, because they have been nothing but helpful.

Last year in Minnesota we received $100,000 from the Reading Improvement Act, State leadership program. That $100,000 was to be used specifically for the training of local leadership.

Our State legislature then added another $400,000 to that, and with the $300,000 we conducted our leadership training programs,

and through our eight regional directors that we have throughout the State—it is not a flowthrough program as it stands now. The monies that the State receives must be used exclusively for training. But, the monitoring aspect of this is to see that these services are done.

We welcome this. We have found nothing but help when we have the U.S. Office of Education people come in to see us.

Mr. SCHIFFMAN. I feel reluctant for us at a national level to be telling States how to effectively implement a total literacy program.

One of the exciting things, as one develops a new program, there are going to be pluses and minuses as one grows. Mr. Cain is rather modest, but one of the things we are trying to implement now is a total State literacy program. I said in my testimony—it was developed under Title V, a comprehensive literacy program for States.

We are strongly encouraging all of our State leaders to come up with a total State literacy commitment. I am firmly convinced we will not solve the literacy problem in the United States, which is serious, as you all know, unless we do have strong State leadership.

I think our role at the national level is to work more effectively in the area of teacher education, in the area of State directors education, so that we can help the states develop effective ways to reach all of the population.

This Title V is a tremendously comprehensive plan. It is the kind of direction we are hoping that all States will implement. This total effort will answer the criticisms of the report.

Mr. SNYDER. I think while most of the problems are common, the States do have unique problems, and they probably are in the best position, and again probably my answer to the first question is best suited to the second question, the bottom line counts, it is the result.

It might be a good idea to have a little competition among States to find out which is producing the best. I think in that case, Michigan programs are going to be the tops.

Mr. SCHIFFMAN. If I may, this is the direction I hope we can in the future support—States are having a total State commitment, in contrast to just automatically supporting all States.

Mr. PERKINS. Mr. Kildee?

Mr. KILDEE. I would like to address a question to my former colleague, still very good friend, Senator Joseph Snyder.

Senator Snyder, in the adventure paperback reading program, I know you have traveled throughout the State to watch this program. You have not just lived in isolation in the state capitol, but you have been in the reading rooms established under the program and in the schools.

Have you seen any identifiable benefits to students other than the improved reading skills? For example, in the area of attitude among students?

Mr. SNYDER. Yes, Congressman. I had the real unique and exciting experience several weeks ago in going into one of our innercity schools in Detroit, to Pelham School. I was in the hallway during the class recess. When the bell rang, there was pandemonium, kids going from one classroom to the other classroom.

I was quite excited to note some of the kids had basketballs under one arm and in the pockets of many they had paperbacks. I would

tap them on the shoulder. I learned one thing. You tap a kid in the innercity from the front, not the back—it is a self-defense mechanism.

I said, 'What do you have there?' It would be a paperback on Muhammed Ali, Willie Mays. It not only brought the ability to read, but some sort of native pride that they had, that one of their people was doing good. I think this type of recognition is doing more to resolve the problems of quality that Mr. Ludington points out than anything.

Reading is a vital keystone. Reading is a vital building block on our community, social philosophies of life. I think when kids learn to read, and they crossbreed with one another as far as their cultures are concerned, it makes for a better community.

So, when we are teaching kids to read, we are teaching them to be better citizens over the whole spectrum of life.

Mr. KILDEE. Thank you, Mr. Snyder.

Mr. Pursell?

Mr. PURSELL. Thank you, Mr. Kildee.

You are suggesting there could be a pilot program throughout the United States, Senator Snyder. I was wondering if the Office might comment on having somebody take a look at that paperback project. I think, Senator, we have how many reading centers now in Michigan, established through the Ludington program?

Mr. SNYDER. I don't know. Just this year we put in over 500. It has been going for several years. Many years it was through the philanthropy of Mr. Ludington. Within the past three years in the Michigan system one of the things we had to do is the first year we didn't work our language too well, so the money was appropriated on a per capita tax basis. That meant some schools got $40 or $50.

We found out that diluted our effort. The past two years we have made them concentrate the program into a minimumn, so they get at least three volumes per youngster in the school. That resulted in a more comprehensive group. So, that slowed down the spread of the reading rooms a little.

But, I would say that we must have several thousand throughout the state right now.

Mr. PURSELL. I wonder now since it has been in that stage, three and four years of development, and those programs are ongoing, not only improved reading skills from the low income and problem areas in the state, but changes in attitudes, improvement in motivation, willingness to walk into an actual library and pick up a paperback and take it back, an stick it in their pocket an go home with it and read it.

I wonder if there is a way we might be able to find some way to evaluate that report at the national level?

Mr. SCHIFFMAN. Yes, sir. When I came in here I met two old friends of mine. I have been hooked on Fader for some time, since his book, 'Hooked On Books,' was first published. Dr. Carsetti is a compadre of mine for some time. So, there is no question they are tremendously talented people in Michigan.

I have already made a note to visit the program there. One of the things I think we have to recognize, and I think this is a very, very

important discussion—is that all over the country we are concerned about basic skills. I think that is justified.

However, I don't want us in our thinking about basic skills to forget the true value of reading, the love of books, and the "getting hooked" on books. We can learn the basic skills for survival, and that is great. But if we lose the love of literature and the love of reading and the fun of reading, then we have gained nothing.

So, I think it is important for us to build this feeling about reading, and I definitely will meet with the appropriate people in Michigan concerning this project.

Mr. PURSELL. Thank you.

Mr. SCHIFFMAN. Thank you.

Mr. KILDEE. Mr. Pressler?

Mr. PRESSLER. Maybe this has been covered to some extent. I apologize for being a little late, and not hearing some of the earlier testimony.

A 1976 report in Right to Read by Applied Management Sciences showed over half the States surveyed on Right to Read would continue even in the absence of Federal funding.[See appendix 1-c.]

Given that indication, how much longer will there be a need for specific categorical programs in reading?

Mr. SCHIFFMAN. My reaction to this, of course, is that we are very excited by the fact that we have now State supervisers and state programs in almost every State except one territory.

I think if we look at what the State program can do and if we are going to look to the state program to provide a total state literacy effort, then we are talking about something quite extensive and comprehensive.

There is no question that many States, as reported in the report, will continue to have a State superviser of reading, with or without Federal funds. However, I don't recognize that in itself as making the total State literacy commitment. I guess this is the direction now that we are going.

We are simply saying if a State, which is close to the problem, is going to resolve illiteracy in their State, then there must be a total State effort which ties together all of the agencies within that State concerned by literacy.

I believe this kind of direction could not be initiated and be successful without funding from the Federal level.

Mr. PRESSLER. Thank you very much.

Mr. KILDEE. If there are no further questions, the Chair would like to thank Mr. Schiffman and Senator Snyder, Mr. Cain, and Mr. Ludington for their testimony this morning. It has been very helpful to us.

I think as a former teacher—and I was a teacher almost as long as I have been a politician now—I recognize the extreme importance of reading. Most of the students in my homeroom with whom we found problems also experienced difficulty in the inability to grasp some of the basic skills, including reading. When we could make breakthroughs, we generally were able to make progress.

Remedial reading is very good. However, if we can eliminate or minimize the need for remedial reading by getting a good start early, I think we have really helped a lot. Then if we can, as you

have used the term, and I know Senator Snyder agrees with this, get people hooked on books, aside from improving the basic skills, we can get them to read just for enjoyment, which enriches a person's total life. That is very important.

As a matter of fact, one of the occupational hazards of the legislature and the Congress is that it tends to destroy one's reading habits. One reads so much during the day, when one gets home at night you are almost afraid to look at the written word. I have tried to overcome this by self-discipline, but we have to read so many reports.

But reading for the sake of reading is in itself a very, very good thing.

I want to thank the panel very much. Thank you for coming here.

Now, to testify on the Assistance to States for State Equalization Plans we will call Dr. Thomas L. Johns of the School Finance Staff, the Bureau of Elementary and Secondary Education of the U.S. Office of Education.

Any prepared testimony you may have will be entered into the record.

Assistance to States for State Equalization Plans

STATEMENT OF THOMAS L. JOHNS, SCHOOL FINANCE STAFF, BUREAU OF ELEMENTARY AND SECONDARY EDUCATION, U.S. OFFICE OF EDUCATION, ACCOMPANIED BY DEXTER A. MAGERS, SENIOR PROGRAM OFFICER

Dr. Johns. Thank you, Mr. Kildee.

I would like to introduce Mr. Magers, a colleague of mine, who is a senior program officer in the administration of this program.

I do have a prepared statement for the record. Without objection, I will simply briefly summarize the salient points of this statement.

Mr. Kildee. Your prepared testimony will be entered into the record.

[The statement of Dr. Johns follows:]

FOR RELEASE UPON DELIVERY

STATEMENT BY
DR. THOMAS L. JOHNS
SCHOOL FINANCE STAFF
BUREAU OF ELEMENTARY AND SECONDARY EDUCATION
U.S. OFFICE OF EDUCATION
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
BEFORE THE
SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION
COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES
WEDNESDAY, JULY 13, 1977
9:30 a.m.

Dr. Johns is accompanied by:

Ray Peterson, Special Assistant to the Deputy Assistant Secretary for Legislation (Education), HEW

Albert L. Alford, Assistant Commissioner for Legislation, OE, HEW

James E. Gibbs, School Finance Staff, Bureau of Elementary and Secondary Education, OE, HEW

Dexter A. Magers, School Finance Staff, Bureau of Elementary and Secondary Education, OE, HEW

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Mr. Chairman and Members of the Subcommittee:

I am pleased to have the opportunity to present a statement on the activities which the U.S. Office of Education has carried on to fulfill its responsibilities under the Assistance to States for State Equalization Plans Programs. Section 842 of P.L. 93-380 was conceived and enacted into law during a period in which more significant State school finance reform legislation had been enacted into law than in any similar period in the Nation's history. The reforms continued despite the United States Supreme Court's ruling in San Antonio Independent School District v. Rodriguez although the court ruling had a telling effect in reducing the impetus of the reform movement.

The authors of Section 842 recognized that while much significant school finance reform legislation had been passed into law, many States had failed to act and were financing their public schools through inequitable and unfair systems. The Act, then, has two major puposes: (1) To reward those States which had enacted equitable and fair systems of school finance by offering reimbursement retroactively for expenditures associated with developing or administering the plans, and (2) to encourage States which had not acted to reform their school support systems by offering reimbursement for costs associated with developing new plans. Section 842 (enacted August 21, 1974) authorizes funds to reimburse States for costs incurred in the development or administration of a plan for equalization of State and local school finance programs. Such plans must be consistent with the provisions of the Fourteenth Amendment, and have as their primary pupose achievement of equality of opportunity for all children enrolled in schools in the State's local educational agencies.

Each State's one-time reimbursement entitlement is based upon the ratio of the population of that State to the population of all the States except that no State shall receive less than $100,000 and no State shall receive more than $1,000,000. The total of the State entitlements is approximately $13.5 million. In the Second Supplemental Appropriations Act of 1976, Congress appropriated $3,000,000 for Section 842 for obligation during the Transition Quarter beginning July 1 and ending September 30, 1976. Subsequently, the remaining $10.5 million was appropriated by the Fiscal Year 1977 Appropriations Act, to be available for two years through September 30, 1978.

The Act was amended in the Education Amendments of 1976 to extend to October 1, 1978, the deadline by which States must submit school finance plans in order to be eligible for reimbursement under the Act.

The law states that the 50 States are the eligible applicants under Section 842. The rules define State to mean the State educational agency or such other agency or instrumentality of the State designated or created under State law as the eligible applicant.

Next I would like to describe the program administration functions which we have carried out. States are required to submit two documents to the Commissioner to apply for funds provided under the law. The States must submit either a developed plan of State aid or a proposal to develop such a plan. The second document which States must submit is an application for reimbursement. While States are encouraged to submit such an application along with their plan or proposal, they are not restricted to submission of one such application but may submit multiple claims until the total amount of their entitlement has been awarded. According to program regulations the State plan is intended to be a "detailed description of the State's policies, programs, and operating procedures relating to the State's program of financial assistance to local educational agencies in that State." The State plan is further expected to meet certain guidelines as set forth in the regulations associated with the law. While no State plan is required to meet all guidelines, a State plan must not reject the principles as characterized by the guidelines.

The guidelines set forth for the pupose of constructing a State financial plan to equalize educational opportunity within the State suggest that:

(1) the plan allow per pupil expenditures to vary with varying costs of the educational needs of pupils, varying costs of educational programs (e.g., special, vocational, or bilingual programs), varying capital and transportation costs;

(2) the plan not allow the wealth or the measurement of the wealth of local educational agencies to influence the resources expended by such agencies and the plan be financed by an equitable tax system;

(3) the plan encourage citizen interest in educational decision-making, encourage efficient allocation of educational resources and provide a means of evaluating its own progress.

If a State does not submit a plan but instead submits a proposal to develop a plan, the proposal is expected to address itself to the guidelines outlined above. As an example, studies described in the proposal should recognize weaknesses of the State's current financial system in meeting the guidelines if such weaknesses or violations of the guidelines exist. After the proposal has been funded, the State remains obligated to submit the developed plan to the Commissioner.

Before submitting the application for reimbursement to the Commissioner, the State agency must have solicited views of the financial plan from the State's Governor, local educational agencies, and other interested parties.

Once the State plan (or proposal) and application for reimbursement have been approved, the Commissioner determines the allocation of funds to be made. These entitlements are not annual entitlements but rather entitlements associated with the program to develop the plan to be submitted by October 1, 1978.

As of July 7, 1977, 41 States had submitted applications for reimbursement under Section 842 with awards totaling $12,292,708. Table I indicates the status of the States with regard to the submission and approval of plans and proposals to develop plans of equalization. The table indicates that only nine States have submitted previously developed plans. Thirty-two States have submitted proposals to develop a plan of equalization while 9 States have not applied to participate in the program. Table II displays the entitlements, the amount of funds requested, the amount of funds awarded, and the amount of remaining funds in the entitlement for each State.

The major interest areas of the States undertaking Section 842 school finance studies are summarized in Table III. Strong interest by virtually all States submitting proposals was shown in the areas of program adequacy, program cost differentials, data base/computer simulation, formula equity, revenue analysis, and local wealth measurement.

Every State which received funds on the basis of a proposal has undertaken a broad-based, comprehensive study of its school finance structure. While study emphasis differs among States, the major thrusts of all the studies focus on the objectives of fairness to children and fairness to taxpayers.

The Section 842 program has been especially timely for States under court order to revise their school finance systems such as California, New Jersey, Washington, and Connecticut. Additionally, States such as New York and Ohio which are anticipating the possibility of court orders are finding the Section 842 studies vital to their efforts.

Perhaps the most significant long range contributions which could result from the Section 842 program is (1) the establishment of permanent staffs in a number of State education agencies whose major purpose is to evaluate and monitor the effectiveness of the State aid system, and (2) the concomitant establishment in most States of computer based simulation systems which will permit ongoing analysis of policy alternatives to existing school aid structures. We are confident that Section 842 funds will have a significant impact in both of these areas.

Our policy is to conduct an on-site review of every funded Section 842 proposal during the study development stage and again during the plan formulation stage. To date, 16 reviews have been completed. We intend to complete the balance of the first round reviews by December of this year.

Additionally, we have conducted two regional and one National workshop for Section 842 participants. We plan to conduct two such workshops in FY 1978.

As can be seen from Table II, 41 of the States have made application for reimbursement. The vast majority of such States have submitted proposals to develop a plan rather than submitting a plan itself. Section 842 legislation and associated regulations seem to have stimulated States to begin to formulate State financial aid plans comprising conscious attempts to provide equality of educational opportunity. Implementation of plans has occured only among those States which received retroactive cost reimbursements for developed plans. Among those States only Rhode Island's plan has not been implemented by the State legislature.

At this time we have not planned any ongoing evaluation studies for this program. Planned evaluation studies are still in the formative stage but may take either or both of the following directions:

(1) a study to determine the extent of equalization achieved by the States which obtained reimbursement funds;

(2) a study to determine the extent to which the legislation provided the stimulus to States to develop State financial aid plans to obtain equity in educational opportunity.

In a real sense, a determination of the precise impact which the Section 842 program will have on the enactment of school finance legislation will be a difficult if not impossible task. Examinations of the causes of reform legislation enacted during recent years have shown that in addition to a sound plan for reform a number of other conditions are almost always necessary if a plan is to be translated into law. The most important of these conditions are a favorable State revenue position and strong and concerned leadership from the legislature and governor.

Despite the difficulty inherent in determing the relative impact of one factor when a number of interrelated factors contribute to an outcome, we will assess the impact of the Section 842 program and to the extent possible draw reasonable conclusions as to its overall effect on the progress of school finance reform.

Table I

Status of State Submissions as of July 7, 1977

State	Plan has been submitted		Proposal to develop a plan has been submitted		No plan or proposal to develop a plan has been submitted to date.
	approved	not yet approved	approved	not yet approved	
Alabama			X		
Alaska			X		
Arizona					X
Arkansas			X		
California			X		
Colorado			X		
Connecticut			X		
Delaware			X		
Florida	X				
Georgia			X		
Hawaii	X				
Idaho					X
Illinois			X		
Indiana			X		
Iowa			X		
Kansas	X				
Kentucky			X		
Louisiana					X
Maine	X				
Maryland					X
Massachusetts			X		
Michigan	X				
Minnesota			X		
Mississippi			X		
Missouri			X		
Montana			X		
Nebraska			X		
Nevada					X
New Hampshire					X
New Jersey	X*				
New Mexico	X				
New York			X		
North Carolina			X		
North Dakota			X		
Ohio			X		

*reimbursement was for the implementation of the plan rather than the cost of developing the plan.

Table I (Continued)

State	Plan has been submitted		Proposal to develop a plan has been submitted		No plan or proposal to develop a plan has been submitted to date.
	approved	not yet approved	approved	not yet approved	
Oklahoma			X		
Oregon			X		
Pennsylvania			X		
Rhode Island	X				
South Carolina					X
South Dakota			X		
Tennessee			X		
Texas			X		
Utah	X				
Vermont			X		
Virginia					X
Washington			X		
West Virginia					X
Wisconsin			X		
Wyoming			X		
Total	9	0	32	0	9

Table II

Entitlements, Requests, and Awards
as of July 7, 1977

State	Entitlement	Amount Requested	Amount Awarded	Amount of Remaining Entitlement
Alabama	241,739	241,739	241,739	-0-
Alaska	100,000	100,000	100,000	-0-
Arizona	179,723	-0-	-0-	179,723
Arkansas	175,690	175,100	175,100	590
California	1,000,000	1,000,000	1,000,000	-0-
Colorado	195,281	195,275	195,275	6
Connecticut	220,307	220,307	220,307	-0-
Delaware	110,344	110,344	110,344	-0-
Florida	440,015	440,015	440,015	-0-
Georgia	298,802	298,802	298,802	-0-
Hawaii	122,484	122,484	122,484	-0-
Idaho	119,942	-0-	-0-	119,942
Illinois	574,171	574,171	574,171	-0-
Indiana	317,911	317,911	317,911	-0-
Iowa	210,270	210,270	210,270	-0-
Kansas	184,368	184,368	184,368	-0-
Kentucky	232,053	232,053	232,053	-0-
Louisiana	249,934	-0-	-0-	249,934
Maine	131,030	131,030	131,030	-0-
Maryland	264,266	-0-	-0-	264,266
Massachusetts	339,211	339,211	339,211	-0-
Michigan	484,631	484,631	484,631	-0-
Minnesota	256,203	256,203	256,203	-0-
Mississippi	187,349	187,349	187,349	-0-
Missouri	294,200	208,460	208,460	85,740
Montana	117,356	117,016	117,016	340
Nebraska	152,593	152,593	152,593	-0-
Nevada	110,212	-0-	-0-	110,212
New Hampshire	120,468	-0-	-0-	120,468
New Jersey	405,961	405,961	405,961	-0-
New Mexico	134,098	134,098	134,098	-0-
New York	878,379	878,379	878,379	-0-
North Carolina	320,628	320,628	320,628	-0-
North Dakota	112,929	112,929	112,929	-0-
Ohio	555,983	555,983	555,983	-0-

Table II (Continued)

State	Entitlement	Amount Requested	Amount Awarded	Amount of Remaining Entitlement
Oklahoma	202,557	202,557	202,557	-0-
Oregon	183,886	183,886	183,886	-0-
Pennsylvania	604,018	604,000	604,000	18
Rhode Island	126,165	126,165	126,165	-0-
South Carolina	206,667	-0-	-0-	206,667
South Dakota	114,902	114,902	114,902	-0-
Tennessee	266,896	266,896	266,896	-0-
Texas	611,731	611,731	611,731	-0-
Utah	136,728	136,728	136,728	-0-
Vermont	105,566	105,566	105,566	-0-
Virginia	300,249	-0-	-0-	300,249
Washington	238,189	238,189	238,189	-0-
West Virginia	163,243	-0-	-0-	163,243
Wisconsin	285,172	285,172	285,172	-0-
Wyoming	100,921	100,879	100,879	42
Total	13,485,431	11,683,981	11,683,981	1,801,450

TABLE III

SECTION 842 - SCHOOL FINANCE PROJECTS
MAJOR INTEREST AREAS

STATES	Program Adequacy	Program Cost Differentials	Data Base/ Computer Simulation	Equity Analysis/ Formula	Revenue Analysis	Local Wealth Measurement	Property Assessment	Price Differentials	Density/ Density Adjustments	Sparsity/ Transportation	Capital Outlay/ School Fac.	School District Consolidation	Cost Benefit/ Accountability
[redacted]	X	X		X	X	X	X				X		X
Alaska		X	X	X	X			X					
California	X	X	X	X		X					X		
Colorado	X		X	X									
Connecticut	X	X	X	X	X	X	X	X	X				X
Delaware	X		X	X		X							X
Georgia	X	X		X	X								X
Illinois	X		X	X		X	X	X					X
Indiana	X	X		X	X	X		X	X	X	X		X
Iowa	X	X	X	X	X	X							X
Kansas		X		X									
Kentucky	X	X	X	X	X			X	X	X	X		
Massachusetts	X	X	X	X	X	X			X				
Minnesota	X	X		X						X	X		
Mississippi	X	X		X		X	X						
Missouri	X	X	X	X	X	X			X			X	
[redacted]	X			X									
Nebraska	X	X	X	X	X	X							
New Jersey	X												X
New Mexico											X		
New York	X	X	X	X		X	X		X	X		X	
North Carolina	X		X	X	X								X
North Dakota	X	X		X		X							X
Ohio	X	X	X	X	X	X	X						
[redacted]	X	X	X	X	X	X						X	
Oregon		X	X	X		X							
Pennsylvania	X	X		X	X	X			X				X
South Dakota	X	X	X	X	X					X			
Vermont	X	X	X	X	X							X	
Washington	X			X	X	X	X		X		X		X

Dr. JOHNS. Thank you.

Section 842 was enacted into law in 1974. The program received initial funding of $3 million during the Transition Quarter last summer. The balance of the $13.5 million necessary for full funding was appropriated in 1977 available for obligation for two years, through fiscal year 1978.

The act was amended in 1976 to extend to October 1, 1978, the deadline by which states must submit school finance plans in order to be eligible for reimbursement under the Act.

The Act has two major purposes: One, to reward those states which had enacted equitable and fair systems of school finance by offering reimbursement, retroactively, for expenditures associated with developing or administering those plans; and two, to encourage states which had not acted to reform their school support systems by offering reimbursements for costs associated with developing new plans.

A state plan is considered by the Office of Education in terms of eight equity guidelines which define the principles of equity set forth in the Act. A State plan does not have to meet each equity guideline. The act is clear on this point. However, a plan cannot ignore the guidelines to such an extent that the principles set forth in the act are in effect rejected.

To date, 41 States have submitted applications for reimbursement under Section 842, with awards totaling approximately $12.3 million. Only nine States have submitted previously developed plans of equalization, while 32 have submitted proposals to develop plans of equalization.

To date, nine States have not applied to participate in the program.

We have established a cut-off date of August 15 of this year for the submission of proposals to develop plans. We expect by this date that approximately 45 States will have chosen to participate in the program.

While study emphases differ among States, the major thrust of all the Section 842 studies focused on the objectives of fairness to children and fairness to taxpayers. The Section 842 program has been especially timely for states under court order to revise their school finance systems; states such as California, New Jersey, Washington, Connecticut.

Additionally, states such as New York and Ohio, which are anticipating the possibility of court orders, are finding the Section 842 studies vital to their efforts as well.

Perhaps the most significant long-range contribution which could result from the Section 842 program is, one, the establishment of permanent school financing staffs in state education agencies. The major purpose of these units would be to evaluate and monitor the effectiveness of state aid systems. A second major potential contribution of Section 842 projects would be the establishment in most states of computer based simulation systems which would permit an ongoing analysis of policy alternatives to existing state aid structures.

We are confident that Section 842 funds will have a significant impact in both of these areas.

Our policy is to conduct an on-site review of every funded Section 842 proposal during the study development stage and again during the plan formulation stage. To date, 16 reviews have been completed. We intend to complete the balance of the first round reviews by December of this year.

Additionally, we have conducted two regional and one national workshop for Section 842 participants. We plan to conduct two such workshops in fiscal year 1978.

At this time we have not conducted any ongoing evaluation studies for this program. Planned evaluation studies are still in the formative stage but may take either or both of the following directions:

One, a study to determine the extent of equalization achieved by the States which obtained reimbursement funds;

Two, a study to determine the extent to which the legislation provided the stimulus to States to develop State financial aid plans to obtain equity in educational opportunity.

In a real sense, a determination of the precise impact which the Section 842 program will have on the enactment of school finance legislation will be a difficult, if not impossible, task.

Examinations of the causes of reform legislation enacted during recent years have shown that in addition to a sound plan for reform a number of other conditions are almost always necessary if a plan is to be translated into law. The most important of these conditions are a favorable State revenue position and strong and concerned leadership from the legislature and Governor.

Despite the difficulty inherent in determining the relative impact of one factor when a number of interrelated factors contribute to an outcome, we will assess the impact of the Section 842 program and to the extent possible draw reasonable conclusions as to its overall effect on the progress of school finance reform.

Thank you, Mr. Kildee.

Mr. KILDEE. Thank you, Dr. Johns.

Dr. Johns, a few questions.

If the Federal Government were to enact a massive program of Federal aid for implementation of these plans to bring about equalization, how much do you estimate it would cost and how do you propose such a program should be structured?

Dr. JOHNS. At the request of the committee staff I have prepared an outline of a major federal subvention that is designed to encourage states to move in the direction of school finance reform. I will make this available to the committee staff.

The Federal government will have to assume at least a visible percentage of the basic costs of the school program in order to exercise any real influence on state legislatures in the direction of school finance reform. While it is difficult at this time to know precisely what this percentage would be, I would say that the federal money would have to represent at least 10 percent of what is being spent in a state on education.

States now are spending roughly $60 billion on elementary and secondary education programs. A federal subvention then would be in the $5 to $6 billion range.

However, a program of this type could start at a much more modest level. A program could start at a $500 million to $800 million level initially, and still be an effective tool in this direction if the appropriation level was systematically increased.

The major features of the subvention that we have thought about briefly are these:

Entitlements would be calculated for each state based on enrollment, and adjusted inversely by the wealth of the state, and perhaps also adjusted by price differentials among those states.

A state could qualify for its entitlement under one of two forms. A state could ask that its existing state school finance program be examined in terms of standards of equity which would be established by the Congress.

These standards would probably be four or five in number and would be constructed around such measures as expenditure disparity extent of wealth neutality, expenditure level, and appropriateness of need differential adjustments incorporated in the state formula.

If a state's program did qualify under such standards, then the state would receive its entitlement and be allowed to distribute the federal funds through its existing school finance formula. There would be no maintenance of effort requirement and no reporting requirements or accounting requirments. If we determined that a State's finance program constituted an equitable distribution of resources and guaranteed an appropriate level of resources, then such requirements would not be necessary.

If, on the other hand, a State's program did not meet those standards of equity, or if a State did not choose to qualify under those standards, then a State could submit a State plan to the U.S. Office of Education.

Essentially, the plan would be a formula for the redistribution of the Federal money to local education agencies. The Federal Government would establish criteria which this formula would have to meet. If a State qualified under this program, there would be a maintenance of effort requirement, there would be reporting requirements and accounting requirements by the State.

We have not gone any further than just roughly outlining these ideas.

Let me mention this: This is not a proposal by the U.S. Office of Education. These are my ideas, and ideas of my colleagues, my personal ideas, as requested by the committee's staff. I certainly don't want to leave the notion that this is a proposal by the U.S. Office of Education. It is simply my response to a request by the committee staff.

Mr. KILDEE. Your report to the staff will be entered into the record as part of the testimony.

Dr. JOHNS. Yes, sir.

[The information follows:]

Equity Support Subvention - An Outline of Major Features

(State Entitlement Formula)

State entitlements would be calculated on the basis of public school enrollment adjusted inversely by per capita or per pupil personal income and perhaps by price differentials.

- The old NDEA Title III formula would be appropriate for this purpose if a price multiplier were added.

- If a price adjustment is to be added, the existing Title I approach should be avoided since it adjusts for quantity and quality differentials as well as price differentials. A simple approach to a price adjustment would be to incorporate a ratio of State average instructional salaries to the National average. If such a ratio were used it should probably be limited in some fashion. As an example, a State could be assigned a ratio of no less than 1.0 or no higher than 1.2.

(Conditions for Participation)

The Act would establish two alternative forms of participation: (1) Qualification of existing school finance programs under equity standards, or (2) A State plan application.

(1) Qualification under Equity Standards

- The Act (or the Commissioner through regulation) would establish operational measures of equity which could be applied to State school finance programs. At the option of a State, a State could request a determination under the Equity Standards. These standards might take the following forms:

  (a) A test of expenditure disparity - a range test or an average of the weighted aggregate disparity.

(b) A test of wealth neutrality - the proposed 5(d)(2) rule would be appropriate.

(c) A test of expenditure level adjusted to reflect only quantity and quality.

(d) Perhaps a test of the adequacy of need differentials - this would be the most difficult test to devise.

- If a State's finance program satisfied the equity standards then the State:

(a) would be permitted to distribute the funds through its existing formula.

(b) would not be subject to any maintenance of effort requirement. If a State chose, it could supplant State funds with these Federal funds.

(c) would not be subject to any accounting or reporting requirements (other than an assurance that the funds were distributed through its State school finance formula for the K-12 program).

(2) Qualification under a State Plan Application

- If a State does not meet the equity standards or if it chooses not to seek qualification under the standards, it could qualify under a State plan application. A State plan would essentially consist of a State formula for distributing the Federal funds to LEAs. The Act would establish equity criteria which the distribution formula would have to satisfy. Such criteria might take the following forms:

(a) A district wealth criteria

(b) A district effort criteria

(c) A district pupil need differential criteria

(d) A district demographic need differential criteria.

- The Act (or the regulations) might establish these as operational criteria or as guideline criteria. There are obvious advantages and disadvantages to either approach.

- A State qualifying under a State Plan application:

  (a) would be required to distribute the Federal funds through the approved formula.

  (b) would be required to maintain effort - The aggregate of State and local per pupil resources for the prior year.

  (c) would be required to report on the use of the funds and to maintain an accounting system necessary for such reporting.

  (d) would be required to expend the funds for current operations.

(Appropriation Level)

The program could be initiated for as little as $500 million. However, the program would have little impact or influence on State lawmakers for school finance reform until the Federal funds comprised at least 10 percent of State and local funds. Five to six billion dollars would be necessary to reach this percentage at present expenditure levels.

Mr. KILDEE. One further question which may very well be covered in your report. If the Federal Government does not have the resources at this time to carry out a multi-billion dollar program of equalization, how might existing programs be modified to accomplish this goal? What less costly types of programs might we enact to help States arrive at fair and equitable systems of school finance?

Dr. JOHNS. On a much more modest level, the major purposes of the Section 842 program could be continued through a modest appropriation of funds to the Commissioner for the purpose of making discretionary grants to states, for the purpose of designing and evaluating their existing school finance programs.

An appropriation as small as $2 million to $5 million per year we think would have a substantial effect in encouraging reform by providing funds to states to undertake these studies. We have also drafted an outline of a proposal along those lines.

[The information referred to follows:]

95-243 O - 77 - 6

Three-Part School Finance Reform Assistance Program - An Outline of Major Features

(Part I - Discretionary Grant Program)

The Commissioner would make discretionary grants to States for the purpose of assisting States in the development of school finance reform plans or for implementing or evaluating existing reform plans. This program, in effect, would be a modest continuation of the Section 842 program. This program could be established separately or as a part of the Special Projects Act.

States not qualifying under the Equity Standards and wishing to do so would be given special preference under this program.

Appropriation Level: An annual appropriation of $2 to $3 million would be adequate.

(Part II - Materials and Training)

Section 1 - The Commissioner would develop and disseminate models and materials useful to States in the school finance planning and implementation process. Such models and materials might include computer simulation models, need differential determination models, systems for calculating full-time equivalent pupils, etc.

Section 2 - The Commissioner would establish a national or regional training centers for school finance planners. Finance planners from State legislatures, legislative service agencies and State and local education agencies would be provided concentrated training in a broad range of school finance related subjects. The centers could be operated by universities or appropriate institutions such as the Education Commission of the States. Federal funds would pay for the preparation of training materials, operation of the centers, and for the travel and per diem of students. The program would operate for only three years.

Appropriation Level: $500,000 to $1,000,000 per year for a three-year period.

(Part III - Collection and Dissemination of Information for School Finance Planning)

The Commissioner would be directed by statute to gather and disseminate timely and relevant information about the status of the financing of public education. This effort would include information concerning:

- the equity of existing State school finance programs on a State by State basis. The finance programs could be evaluated in terms of three to four measures of equity with the results published in profile form on a three-year cycle. Small grants could be made to each State to help in meeting data gathering costs.

- the structure of existing State school finance programs.

- innovations, trends, and developments in the field of school finance.

Appropriation Level: None, except possibly for a modest amount to assist States with the costs of compiling data.

Mr. KILDEE. Briefly—and I will defer to minority counsel for some questions—what criteria do you use to determine whether a state equalization program qualifies for reimbursement?

Dr. JOHNS. At present, under the equalization provision, Public Law 81-874, we have developed essentially two tests of equity. One is a range test of expenditure disparity. It is simply a measure of the range of the expenditure disparity.

We have established operational limits for the purpose of P.L. 81-874. I think such a test or a form of that test would be one of the standards.

A second one would be a test of what we call wealth neutrality. That is also a standard we have proposed for the Public Law 874 standards. Wealth neutrality simply means to what extent does the state guarantee to each district the same dollar return for the same effort.

Under a wealth neutral system if a poor district wanted to spend at a high level, it would be able to do so at the same tax effort that a rich district spending at the same level would have to make.

We now have procedures which measure rather accurately the extent to which State school finance programs do achieve wealth neutrality.

These are two of the measures that I think would certainly be appropriate to such a set of standards.

A third, I think, would be an expenditure level test—is the state spending at a level necessary to provide an adequate program for all children in the state.

We would not use raw expenditure figures in such a measure because the same dollars buy varying amounts of educational services in different States due to price differentials. A dollar buys less in the way of educational services in New York State than it does in Mississippi. We would have to adjust these expenditure levels to deflate them for price differentials.

A fourth and perhaps the most difficult standard might be a measure of how appropriate or to what extent state programs take appropriate account of educational need differentials among pupils in that State.

For example, to what extent is the State providing an appropriate expenditure level for children with mental or physical or cultural handicaps?

The problem in developing such a national standard is that one has to develop an operational standard applying fairly to the entire United States. The problem is that what might be an appropriate expenditure level in one State for special education might not be an appropriate expenditure level in another State.

It is this fact primarily that is going to cause the difficulty in establishing a need differential standard. I am not saying that it is going to be impossible to establish that standard. But it will be the most difficult of the four.

To summarize my points, I think there are four possible standards, perhaps more, but four that occur to us now that could be incorporated in such a law and could provide a fair test of how equitable a State school finance plan is.

Mr. KILDEE. I appreciate your four criteria. While I am happy and agree that Michigan, my State, would fit these criteria for reimbursement, nevertheless—and I would agree that it should fit the criteria for reimbursement—I would like to ask you a question.

Under the Michigan equal yield formula, the State of Michigan will guarantee that up to so many mills, 27, 28, 29, 30 mills, that those mills levied at the local level will all generate with a combination of State support and local dollars the same amount of money for each mill.

So, what we have done, then, is equalized the multiplicand. But many districts, for a variety of reasons, are not able to get millage elections passed, and therefore we have a disparity in the multiplier. If you have a disparity in the multiplier, even though the multiplicand is guaranteed to be constant, you are going to have an unequal product—I use the term both mathematically and educationally.

I want to reiterate. I am happy and agree that Michigan fits the criteria, and would not want it to be other than that for reimbursement, but I still find some deficiencies in the plan which I worked with for 12 years in the legislature, in seeing that there is a problem with the inequity or disparity of the multiplier.

That is something which is very difficult to control because there are a variety of reasons why people turn down millage votes.

Would you care to comment on that?

Dr. JOHNS. Yes, sir. There are two schools of thought in the school finance community on the question that you raise. One position runs something like this: The local community is best able to

determine what is the appropriate expenditure level for its children.

Varying levels of expenditures resulting from varying decisions by communities as to what the educational program should cost is a fair system if all local communities are guaranteed the same fiscal resources in making those decisions. This is one school of thought and this is the essential rationale for Michigan's power equalized program. There are programs similar to the Michigan program in concept in about 11 other States.

The other school of thought runs something like this: A community should not be allowed to make an inappropriate educational decision for its children. The State as a whole should guarantee an adequate level of educational programs for every child in the state, regardless of which community that child lives in.

You will find this view represented in about 36 States which have foundation programs, through which the State makes the basic expenditure decision. In some of these states however, the foundation program is a concept only, in that the State guarantee is far too low.

As a personal view, I would advocate a high level foundation program through which every child in the State is guaranteed an adequate educational program. In addition, I would permit communities the leeway to vote additional expenditures, to enhance that program if they would like—but again, on a wealth neutral basis. Some States are moving in this direction.

Programs such as those in Michigan and Illinois, where the State does guarantee the same yield for the same effort have been examined by investigators in those States.

What I understand they are finding is that a wealth neutral system does not necessarily diminish expenditure disparities, and in some cases exacerbates such disparities. Communities simply make different expenditure level decisions. Again, if one believes that the community is the best judge of what an expenditure level should be, then the Michigan type program is the most appropriate.

If, on the other hand, one thinks that the State as a whole is likely to make a better decision as to what the expenditure level should be, then one would argue for a foundation type or full State assumption approach.

Mr. KILDEE. I was frankly surprised by the Supreme Court's decision on the *Rodriguez* case. I had expected something quite different. We were in the process at the time in Michigan of trying to establish a reform in the financing of education. I think definitely the Rodriguez decision has, as you indicate in your testimony, slowed the impetus for reform.

It definitely has, there is no question. Had the San Antonio school district versus Rodriguez, had the Rodriguez side prevailed on that, I think we would have moved definitely by court order towards a more equitable method of distributing the educational dollar and raising it.

Mr. KILDEE. I appreciate your very candid and specific answer to my questions. It has been very helpful. I will now defer to minority counsel.

Mr. CROSS. Thank you. I would like to return to a couple of issues. In response to Mr. Kildee's question about what you might do—you didn't go into a general equalization program—you said a $2 to $5 million a year program, building on 842.

I am fairly familiar with activities being undertaken in NIE, and they are also undertaking many things which descriptionwise sound to me similar to what you describe as a possible future course.

Have you talked to the NIE people to work out a situation where you would not duplicate effort?

Dr. JOHNS. No, I have not as yet talked to Mr. Doyle and others in NIE in trying to coordinate a program proposal. I simply put down some ideas very quickly in response to a request by committee staff.

If, however, the Congress were to entertain a program such as this, that we would, of course, coordinate with NIE, so we would not be making duplicative or competitive proposals.

NIE's thrust, of course, is to evaluate school finance programs, to evaluate policy alternatives in school finance. The basic thrust of an Office of Education program would be to provide technical assistance to States.

Mr. CROSS. I believe NIE is doing that through NCSL.

Dr. JOHNS. Yes, to some extent.

Mr. CROSS. It strikes me there is a parallel here to what happened in health insurance a few years ago with Medicaid and Medicare, and the potential for something happening in education finance equaliation.

What we have seen over a period of years because of the health reforms, and not health insurance nationwide, is an enormous inflation in medical costs which has outstripped anything else in terms of inflationary impact on the economy.

I wonder if the same potential doesn't exist there if you went into a major Federal program in education equalization. I would ask you in terms of doing this report, which was requested by the staff, to look into that as well, and examine the inflationary impact because under the House rules that is something which we must stipulate to the House in the committee report. And it is something that I think would be of major concern to the members because the inflationary impact could be quite large, I suspect.

I would ask you not to respond now, but to do that in terms of looking at your report.

Dr. JOHNS. Yes. I would like to make one comment on that.

As I mentioned, one of the features of the program would be that if a State school finance program qualified under the Federal standards, that the State would be allowed to supplant State and local funds with the Federal aid. It would be in effect a tax relief bill at the State and local levels for those qualifying States.

Mr. CROSS. I suspect very few States would qualify in the experience of what we have seen with Public Law 874, and further there would be pressures within the States not to supplant, because of various professional associations and that sort of thing.

I am curious in looking at the chart that is attached to your statement, that several States, four or five, as I recall, did not receive quite the amount of money to which they were entitled or the amount they requested. Why were those amounts knocked down

in the case where the requested amount is different from the amount awarded?

Dr. JOHNS. I would have to examine our individual program files to respond to your question. Which states are you referring to specifically?

Mr. CROSS I was looking at this last evening and noticed three or four here. I can't spot them offhand. There were a couple of states where the amounts were somewhat different than the amounts requested. I also noticed a number of States where the entitlement was much different from the amount requested as well.

I assume that those States just did not submit plans that were sufficient to use all the funds?

Dr. JOHNS. That is correct. They can make multiple requests. A number of States in their first request simply did not request the entire amount of their entitlement.

Mr. CROSS. So they are able then to come back and get a subsequent——

Dr. JOHNS. If you would identify specific States that you have questions on, we can provide a report to you.

Mr. CROSS. Okay.

I was looking at a different chart. There was a report prepared by the Congressional Research Service some months ago on Section 842, that showed several States where the amounts were different. It may be they have come in for later amounts, and that has taken care of it.

Just a minute, let me check this.

The report they had done showed the amount requested was $9.5 million, and the amount awarded was about $9 million. It may be that their figures and yours differ.

Dr. JOHNS. In some cases the initial State applications were not adequate, and we did request that they revise their proposals. This would reflect the difference in the report prepared by the Congressional Research Service. Those proposals have subsequently been submitted in satisfactory form.

Mr. CROSS. Will there be funds reverting to the treasury, then, at the end of this period because some states have not made application?

Dr. JOHNS. I would expect that something less than $1 million will be reverted to the treasury, simply because some States for a variety of reasons will probably choose not to participate in this program. I am disappointed about this possibility, but the State makes the decision.

Mr. CROSS. What other agencies besides the State education agency have been the recipient of funds?

Dr. JOHNS. In the State of Oregon, the Legislative Revenue Committee of the State Legislature. In the State of New Mexico, the Department of Administration. In the State of Massachusetts, the Department of Administration. In the State of Arkansas, the Legislative Education Committee. Then to the best of my recollection the balance of the awards have gone to the State education agency.

Mr. CROSS. Have you had multiple applications from the same state?

Dr. JOHNS. No, for one very good reason. We wrote the regulations in such a way as to forbid multiple applications. We certainly

did not relish the position of trying to judge an application from the Governor and an application from the legislature and deciding which was better.

Mr. CROSS. There has been no case of a joint submission, then.

Dr. JOHNS. In effect, a number of the submissions have been joint. We grant the money to a single agency. In a number of States, the states are subcontracting to other agencies in the State.

Mr. CROSS. Could you take a couple of States, perhaps California as one example, and another state or two of your choice, and tell us what specifically those dollars are being used for? Is it, for instance, contracted research on equalization, is it a question of hiring consultants, is it a question of staff within the State Department of Education?

You might want to do that for the record. But I think it would be helpful to know exactly what the dollars are being used for in terms of the services which that money is purchasing.

Dr. JOHNS. I can respond generally or specifically.

Let me give an example, and let Mr. Magers describe the activities in the State of Ohio which are in the direction that we would like all the States to move.

Mr. MAGERS. Ohio, as you know, has a court case pending, and they have been very active in attempting to, and they have made some reforms in their legislation, but it was only partially implemented. They are now trying to improve that rather quickly.

They have used their funds to establish a computer simulation model with terminals in the legislative cloakrooms, whereby they can ascertain, as they discuss in committee actions, what effect this kind of a change in structure would have. Also, they have established a plan to maintain after 842 is gone a couple of people who will do substantial research in compilation of alternatives, background data, and so forth.

So the legislature will not have to wait on searching and looking at alternatives—what would happen if we do this, if we do that. Plus, what would happen if we guarantee a power equalizing formula instead of the kind of thing we have, what would happen if we change the structure substantially.

There are some rather sophisticated and comprehensive computer models available. As is mentioned in the paper, a number of States are using the money to bring their capability in this area up to a much higher level, so that they can have available the information needed in a very concise and timely fashion to improve the State's ability to act and to bring about the reform that they want, being able to see the consequences beforehand.

Mr. CROSS. It sounds as though 842 has been a great boon to the data processing industry.

Dr. JOHNS. Yes, I suppose that might be an appropriate characterization. Every State has a system of simulating for win or lose purposes changes in their existing little program. But these simulation systems are simply not appropriate for the broad base analysis of major alternatives to that structure.

Virtually every State in which we have made funds available is taking a portion of this money to transform their existing models into a real analysis capability of policy alternatives.

You mentioned California. California is spending a good deal of its effort in that direction.

Mr. CROSS. One final question. In your statement you said you plan a study or are considering a study to determine the extent to which 842 has been the stimulus to State equalization. I know this is a seat of the pants judgment, but are you aware of 842 actually having been the stimulus in place, or is it a question of it having been there at a time when other factors were present?

Dr. JOHNS. There has been no legislation presently enacted which has been a result of 842. The 842 studies in effect have just begun this spring. We won't be able to judge the impact that these studies are having on state legislation until the 1978 and 1979 state legislative sessions.

So, really, an evaluation of this program is appropriately undertaken about two years after these plans are actually submitted to us.

Mr. CROSS. Thank you, Mr. Chairman.

Mr. KILDEE. The Chair recognizes the distinguished gentleman from Alabama, Mr. Buchanan.

Mr. BUCHANAN. I have no questions, Mr. Chairman.

Mr. KILDEE. Thank you very much. The Chair appreciates very much your testimony. At this point we will stand adjourned.

Thank you very much.

[Whereupon, at 11:20 a.m., the committee adjourned.]

[Material submitted for inclusion in the record follows:]

READING IS FUNDAMENTAL

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RIF, INC.
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July 19, 1977

Congressman Carl Perkins
2365 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Perkins:

It has been two years since we talked about "Reading Is Fundamental". Much has happened since PL 94-194 was passed and Congress appropriated 3 years of funding in FY 76, 77 and 78 for $4 million, $5 million and $6 million for an Inexpensive Book Distribution Program. As the national contractor, RIF, with Federal matching funds for books in the Inexpensive Book Distribution program, has been most successful.

We understand that the House Subcommittee on Elementary and Secondary Education held hearings on Wednesday, July 13 for H.R. 15, the reauthorization of the Reading Improvement Program Act of 1974.

We were unable to secure a spot on the agenda to present oral testimony on the Inexpensive Book Distribution Program. However, we were told that we could submit written testimony for insertion in the record.

I am enclosing our written testimony and respectfully request that it be included in the record of testimony on reauthorization of the Reading Improvement Program. If you have any questions or would like additional information please let me know.

I look forward to chatting with you in the fall regarding the legislation.

Sincerely,

Margaret C. McNamara

Mrs. Robert S. McNamara

Enclosure
cc: Congressman Quie
Jack Jennings
Chris Cross

Statement for the Record
by
Mrs. Robert S. McNamara, Chairman
Reading Is Fundamental, Inc.
For the
Subcommittee on Elementary, Secondary, and Vocational Education
Regarding
HR-15, The National Reading Improvement Program
Inexpensive Book Distribution Program for Reading Motivation
Testimony for the Record
House of Representatives
Hearings of July 13 1977 - 9:30 a.m.

The cause of reading motivation was given new opportunities when Congress passed PL 94-194, in December, 1975, establishing the Federal Inexpensive Book Distribution Program as part of the National Reading Improvement Program. It authorized Federal funds to match local funds to purchase inexpensive books for reading motivation programs.

On September 30, 1976, Reading is Fundamental, Inc. (RIF) received a contract from the U.S. Office of Education to administer the program. Under the contract, RIF has been allocating matching funds to qualified reading motivation groups throughout the country.

The point of the program is to motivate children to read. The method is the one pioneered in RIF's eleven year dedication to reading motivation: to distribute inexpensive books to children and to center reading motivation activities around the distributions.

None of the funds for local groups in this program pays for administration; every cent of it must be used to buy books for children. All Federal money is matched dollar for dollar by local funds. With funds now appropriated, we expect to meet the following goals:

	Fiscal Year 1976 (Authorized $4 million) Appropriated	Fiscal Year 1977 (Authorized $9 million) Appropriated
Dollar Amount	$4,000,000	$5,000,000
Books Available For Distribution	9,000,000	10,600,000 (projected)
Children Served	1,800,000	2,100,000 (projected)

The Inexpensive Book Distribution Program is making a significant impact on reading motivation by getting books into the hands of children in every region of the country. On the basis of our experience with this new program, we have recommendations to make regarding its authorization:

1. The authorization for the Inexpensive Book Distribution Program expires with the expiration of fiscal year 1978.

   Recommendation: We recommend that the program be authorized for an additional five years.

2. The legislation now authorizes the purchase of books by reading motivation programs for "gift, loan or sale".

   Recommendation: We recommend that the word "sale" be struck from the legislation.

   The sale of books by these programs creates potential conflicts with state fair trade laws and is unwieldy to administer. The cost of a program which permits subcontractors to sell books, with the accounting and monitoring necessary to safeguard Federal funds, far outweighs any benefits to be derived from selling books to children in the programs.

3. The contract RIF has with the Office of Education is subject to the "Buy American" regulations, which stipulate that books purchased must be entirely U.S. produced (41 U.S. Code 10 a-d, as administered under Executive Order 10582).

   Recommendation: We recommend that the Inexpensive Book Distribution Program be exempted from the "Buy American" regulations for the purchase of books for children whose primary language is not English.

   Since American publishers produce very few inexpensive, non-text foreign language books for such children as those whose native tongue is Spanish, French, Chinese and Vietnamese, these regulations severely hamper efforts by the Inexpensive Book Distribution Program to serve these children equally.

4. The current legislation requires that Federal funds be matched dollar for dollar.

   Recommendation: We recommend that the Commissioner of Education be authorized to establish standards whereby some programs could be exempted from the requirement for a full 50% matching share.

   Many impoverished areas of the country, probably those which need books most desperately, simply cannot raise the full 50% matching share.

5. Congress approved appropriations for the Inexpensive Book Distribution Program for $4 million for fiscal 1976, $5 million for fiscal 1977 and $6 million for fiscal 1978.

   Recommendation: Given the need for this program, and the impact of inflation upon it, we recommend the following authorized appropriations: $8 million for FY 1979, $10 million for FY 1980; $12 million for FY 1981; and $14 million for the subsequent two fiscal years.

Although the Inexpensive Book Distribution Program has been operating for less than a year, the public response is already impressive. Thousands of inquiries about the program have come to our office from educators, parents, libraries and service organizations. In four months we have received over 700 proposals to participate in the Inexpensive Book Distribution Program. RIF has approved 563 proposals and is reviewing an additional 158.

In view of the hundreds of inquiries about the program we receive each week, we expect the pace to continue and the numbers of programs to grow throughout the country.

National organizations have seen the potential of the program and are working with RIF to involve their local affiliates. Thus far we have worked with the following organizations: American Library Association, Boys Clubs of America, General Federation of Women's Clubs, National Education Association, National Urban League, Maryland State Education Department, National School Volunteer Program, International Reading Association, Alpha Kappa Alpha Sorority, National Association of Elementary School Principals, Educational Paperback Association, National Conference of Junior Auxiliaries, Chief State School Officers, National Indian Education Association, National Center for Voluntary Action and AFL-CIO/ALA Joint Library Committee.

This program has been publically endorsed by the Children's Services Division of the American Library Association, the Boys Clubs of America and the Secretary of Health, Education and Welfare.

We are encouraged by this response, and believe it is the just desert of a strong and well demonstrated concept. Much research and even more personal experience in RIF's eleven year history have convinced us and the citizens in our hundreds of local projects, of the strength of the Inexpensive Book Distribution concept: the will to read is the root of the ability to read, and that will is best developed by allowing the child to choose and keep his own books.

The Inexpensive Book Distribution Program meets an undeniable problem in a uniquely effective way. Few would deny that illiteracy is a major American problem. According to one study, some 20 million Americans over the age of 16 can't read fluently enough to understand a want ad; 43% of all elementary school children need reading help critically; and, for practical purposes, 20% of those children cannot read at all.

This country's efforts against illiteracy have concentrated largely on techniques of reading education. Schools throughout the country have adjusted their teaching methods, adopting radical new techniques and resurrecting some basic old ones. Parents have taken increasingly active roles in their schools' education strategies, and they have demanded with increasing militancy that they receive the satisfaction of a literate child for thousands of tax dollars rendered.

This debate is vital, and the attention it focuses on our schools is a bright source of energy and innovation. But changing our teaching techniques is not enough, because the problem is not only how we teach, or fail to teach, our children to read. It is also in how we teach them to feel about reading.

It is here that the principles and methods of RIF, through the Inexpensive Book Distribution Program, can make a unique contribution to the campaign for literacy. RIF aims to give children a good feeling about books. In too many cases books remind children only of authority, duty and the weight of a grade. RIF tries to associate books with pleasure in the child's mind. We do this by the simplest, most direct method possible, by giving children the opportunity to own books they have freely chosen from a wide and various assortment.

Once a child chooses a RIF book it is his to use as he wishes. No one tells him what to select. He chooses with absolute freedom and, as always when we choose freely, he takes pride in his possession.

RIF was born from this conviction that the will to read grows best in the freedom to choose one's books without coercion or coaxing. RIF began distributing books to children and engaging them in reading motivation activities in 1966 as a pilot project in Washington, D.C. The idea sparked, and in eleven years we grew from one program to hundreds in 49 states.

Now the tenets that have guided RIF's growth are being applied to the Inexpensive Book Distribution Program. If our experience is any guide, this program will work because it is simple, because it can involve citizens, particularly parents, from all sectors of the community, and because it rewards any child it touches, regardless of background.

As we prepared to launch the new Federal program, we knew that simplicity would be vital. The strength of the reading motivation program grows from the creative energy of its grass-roots volunteers, and we were determined not to smother that energy with bureaucratic procedures. Everything connected with the federal program is designed to be simple, direct and accessible. We have pared the requirements to the minimum, while still insuring the protection of Federal funds and the quality of the program.

We can happily report that our efforts were successful even though all projects meet RIF and federal standards, no two are exactly alike. The Kiwanis Club applying for $150 in matching funds is radically different from the school system applying for $30,000. One is staffed by 10 volunteers serving 60 children with 300 books, using reading activities that relate education to good citizenship. The other is an integral part of the school system's reading strategy,. involving teachers, the PTA and each child in the school district. Each program is tailored to the community, but both serve a common purpose: motivating children to read.

The Inexpensive Book Distribution Program's appeal to volunteers is probably its surest guarantee of success. Since RIF began eleven years ago, the local programs have been staffed almost entirely by volunteers. This continues under the Federal program. In the national office we help projects organize and grow with detailed technical assistance and personal contact. We also negotiate agreements with publishers and distributors to supply books to Federally funded programs at substantial discounts. Thus far, we have signed agreements with 104 suppliers, securing special services and an average range of 30-40% discount.

While the National RIF staff supports the local programs with information and technical assistance, local volunteers provide the real heart of the program: giving books to children and stimulating interest through motivation activities. There comes a point when government must trust important social tasks to the initiative, the wisdom and the common sense of its citizens. The Inexpensive Book Distribution Program is an opportunity for the American government to intrust a vital part of the campaign for literacy, reading motivation, to the care of American citizens.

In a reading motivation program, citizen volunteers organize, fund and operate the project. They know the children to be served and how best to serve them. They go beyond the gift of books to imaginative activities which complement and reinforce the children's quickening desire to read. Here creativity of local citizens is boundless. Every day we hear of new reading motivation activities from local projects: from puppet shows, to story writing contests to book binding lessions, the programs explore all roads to the love of reading.

We believe our citizens want and need this opportunity for direct and active involvement. More than supporting a candidate with a vote or a Federal program with taxes, they want to do something that directly pits their intelligence, skills and concern against the problems of illiteracy.

The program has been especially successful in recruiting parents. It is a National RIF standard that each project must attempt to involve parents in the program, on the premise that those who best know a child can best motivate him, and that the motivation to read is delicate when new and needs constant encouragement and reinforcement at home.

The Inexpensive Book Distribution Program can also engage children of different economic and educational backgrounds in a common project for fun and growth. Many child-service programs are legislatively restricted to certain economic or ethnic groups. Our experience shows that local volunteers know which children in their communities most need reading help, and they have directed their reading motivation programs toward those children. But they have concentrated their efforts without being forced to segregate children from their friends and classmates.

While recognizing that the most help must go to the most disadvantaged areas, we believe a program like this must try to serve all children because illiteracy respects no social boundaries, and a middle class income in no way guarantees that a child can read. When a RIF project decides what group of children it will serve, whether a class, a neighborhood or a school, it must guarantee that it will equally serve each child in that group, regardless of income, race, creed, or education level. No child feels left out or, just as bad, singled out for special attention. Everyone is involved; everyone has fun; everyone slowly matures with the growing appreciation for books. At the same time, the common sense and concern of the citizens insure that the greatest effort of the program goes to the areas of greatest need.

An important effect of the program's commitment to serve all children is that it brings non-readers under the influence of enthusiastic readers. A non-reader who spends all his time with other non-readers will probably bow to the peer pressure natural to such a group: he will dismiss reading as an onerous, school imposed task for which he and his friends are ill suited.

But bring non-readers, or reluctant readers, together with readers in a long range, well designed reading motivation program, and watch the light leap from eye to eye. The non-reader's curiosity, and his instinct to follow the leader, will compel him to open a book and see what the fun is all about, perhaps for the first time in his life.

The Inexpensive Book Distribution Program is special. It is special because it is simple and unbureaucratic, because it can engage and involve all members of a community, and because it can reward every child it touches. But the most unique merit of the program is that it goes deeper than technique, straight to the root of the reading crisis.

The Inexpensive Book Distribution Program makes children want to read. Without that desire the most sophisticated teaching techniques are powerless. But when a child wants to read, his teacher's skills can unlock his talents to fullest potential. As psychologist Bruno Bettelheim has observed about motivation: "Learning to read can be mastered well only if at first, and for quite some time to come, it is experienced as a most powerful magic".

This is why the Inexpensive Book Distribution Program should remain an integral part of the national reading improvement effort. It has a unique contribution to make to this task: to open the hearts and minds of all our children to the powerful magic of books, and to see that they are given the books to invoke the special magic of each personality.

INTERMOUNTAIN GAS COMPANY
BOISE, IDAHO

VIRGINIA SMITH
VICE PRESIDENT &
CORPORATE SECRETARY

July 29, 1977

The Honorable Carl D. Perkins
House of Representatives
2365 Rayburn House Office Building
Washington, D.C. 20515

Dear Representative Perkins:

The Advisory Council of the Idaho Right to Read Program is appreciative of your efforts in guiding legislation in Congress for the National Reading Improvement Program.

We have reviewed H.R. 7571 with great interest.

We are pleased by the inclusion of secondary schools in the program and the provisions for coordination between the reading academies and the state leadership programs.

We concur with the Statement of Purpose and endorse the language which speaks to assistance to strengthen reading instruction for all students, pre-elementary through secondary. We feel the Right to Read Program should be directed to developmental goals.

Limiting H.R. 7571 to Problems

In Subsection (f) of Section 704 there are certain provisions which seem to limit the Right to Read Program only to those students with learning disabilities. Other federally-funded programs provide special assistance to students with particular problems such as learning disabilities. If Right to Read is confined to these same student participants, there will be duplications of effort toward those with reading difficulties and a lessening of resources for the total school population.

Subsection (f)(1), for example, provides for diagnostic testing to identify school children with reading deficiencies. We feel this limits the purpose of the legislation and that subsection (f)(1) would be stronger if it read:

96-243 O - 77 - 7

"(1) diagnostic testing designed to identify conditions which, without appropriate other treatment, can be expected to impede or prevent, or to continue to impede or prevent, children from learning to read;

Subsection (f)(3) repeats the emphasis on instruction for the pupil with reading problems and incorporates the misleading standard of grade-level measurement of reading achievement. We feel this Subsection can be restated to advantage as follows:

"(3) reading instruction for elementary school and secondary pupils to enable each one to attain the highest possible level of reading achievement."

Strengthening Local Involvement

The Advisory Council strongly supports the increased emphasis on local participation in the development of the Right to Read Program.

We recommend that (f)(6) be strengthened by adding:

"(6) a member of a local agency school board participate in the development of programs.

Publication of Test Results

Section 704(f)(8) provides for publication of test results where appropriate by schools. We believe the schools should not be identified. Test results on reading performance are useful primarily to teachers, reading directors and administrators. Disclosure to the public by schools can cause serious intra-district and community problems.

Assessment, Planning and Implementation

The funding of comprehensive reading programs by local educational agencies as a part of the broader agreements with state education agencies is appropriate. However, given the prerequisites in Section 702, it is unlikely that any such projects would be funded. If demonstration projects are to remain a part of the Title VII literacy effort, other procedures for funding should be found.

Representative Carl D. Perkins
July 29, 1977
Page Three

The Council strongly supports financial compensation to local education agendies for the purpose of implementing careful assessment, planning and implementation of comprehensive reading programs. Many districts, caught in financial binds, cannot afford to assign a person to perform these tasks. Monies to support local persons to perform as reading directors could result in the types of activities described in the attached report. We think this kind of involvement and support by the government would produce lasting results.

Reading is Fundamental

Reading is Fundamental, a well-conceived program, might be better administered through legislation that promotes distribution of library materials. Its inclusion in this law may be confusing and difficult to administer and dilutes the use of scarce funds.

Very truly yours,

Virginia Smith

Virginia Smith
Chairman, Advisory Council
Idaho Right to Read Program

VS/jes
Attachment

cc: Idaho Congressional Delegation
National Right to Read Program
Idaho Right to Read Program

JOSEPH M. SNYDER
STATE SENATOR
36TH DISTRICT
STATE CAPITOL
LANSING, MICHIGAN 48909

THE SENATE
LANSING, MICHIGAN

LEGISLATIVE COUNCIL
APPROPRIATIONS COMMITTEE
MENTAL HEALTH SUB-COMMITTEE, CHAIRMAN
NATURAL RESOURCES SUB-COMMITTEE, CHAIRMAN
PUBLIC HEALTH SUB-COMMITTEE, VICE CHAIRMAN

September 1, 1977

The Honorable Carl D. Perkins, Chairman
Subcommittee on Elementary, Secondary,
and Vocational Education
Congress of the United States
B-346C Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Perkins:

Enclosed is an excerpted copy of Public Act No. 101 of 1977 detailing the Paperback Book appropriation for the fiscal year 1977-78.

Using the formula contained in the Act, the $550,000 appropriation -- with local matching funds -- will yield $733,000 for Adventure Reading Rooms in Michigan.

In view of the track record to date, it is quite obvious that young people are not learning to read. In my opinion, Michigan's unique Reading Room concept would reverse this trend.

Sincerely,

JOSEPH M. SNYDER
State Senator

P.S. I was most appreciative of the warmth and courtesies extended to Mr. Ludington and me during our appearance before your Washington Hearing.

JMS

Enclosure

Act No. 101
Public Acts of 1977
Approved by Governor
August 4, 1977

EXCERPT

STATE SENATOR JOSEPH M. SNYDER

STATE OF MICHIGAN
79TH LEGISLATURE
REGULAR SESSION OF 1977

Introduced by Senator Zollar

ENROLLED SENATE BILL No. 209

AN ACT to make appropriations for the department of education; to provide for expenditures of those appropriations; to create funds; to provide for the imposition of fees; to provide for reports; and to provide for the disposition of fees and other income received by the state agency.

The People of the State of Michigan enact:

Sec. 1. [redacted] and certain state purposes related to education as set forth in this act for the fiscal year ending September 30, 1978, or as much thereof as may be necessary for the purposes and in the amounts as follows:

Classified full-time equated positions		2,414.0
Gross appropriation	$	274,458,300
Portion financed from:		
Federal funds		229,867,000
Driver education fees		5,706,600
Miscellaneous other funds		502,300
General Fund		38,383,400
Department of Education		
State Board of Education (91 total positions)		
State board of education (8 members not to exceed 75 days)	$	36,700
State tenure commission per diem (5 members not to exceed 40 meeting days at $45.00 per day)		9,000
Junior and community college board per diem (8 members not to exceed 24 meeting days at $45.00 per day)		8,650
Superintendent of public instruction		43,800
Deputy superintendent		38,250
Salaries and wages (not to exceed 58 positions)		1,115,400
Longevity and insurance		69,900
Retirement		171,600
Teacher professional development center administration		30,000
Tenure commission staff (not to exceed 3 positions)		55,000
Travel (including $1,100.00 for C.C. board travel)		92,600
Contractual services, supplies and materials		346,300
Career education advisory program (not to exceed 5 positions)		175,600

			For Fiscal Year Ending Sept. 30, 1978
Grants and Distributions			
State Board of Education			
Education commission of the states	$	27,800	
Detroit desegregation monitoring commission grant		200,000	
School Management Services			
School lunch program—state share		4,922,400	
School lunch program—federal share		45,223,000	
Mandatory school lunch program—supplemental grants for capital outlay		3,300,000	
Driver education		5,550,000	
General Education Services			
Elementary and secondary education act, Title IV-B	$	6,250,800	
Elementary and secondary education act, Title IV-C		5,614,600	
[redacted]		[redacted]	
Neighborhood education centers		618,000	
Compensatory Education			
Elementary and secondary education act, Title I	$	80,656,600	
Elementary and secondary education act, Title I migrant		4,362,400	
Special Education Services			
Public Law 94-142, 20 U.S.C. 1411 to 1420	$	2,578,600	
ESEA VI-B statewide projects		100,000	
Midwest regional center		1,634,400	
Great Lakes area resources center		273,000	
Library Services			
State aid to libraries	$	7,131,000	
Library services and construction act, Title I		950,000	
Library services and construction act, Title III		60,000	
Wayne county library for the blind		50,000	
Vocational Education Services			
Vocational education act	$	19,800,000	
Vocational education, E.P.D.A. grant		275,900	
Rehabilitation Services			
Vocational rehabilitation facility	$	2,070,000	
Vocational rehabilitation client services (including $1,641,900 state share)		12,612,800	
Teacher Certification			
Career Education and Teacher professional development centers program		1,270,000	
Adult Education Services			
Comprehensive employment and training act	$	4,000,000	
Adult basic education		2,444,900	
Higher education act, Title I		392,000	
Apprentice training program		107,200	
Subtotal			$ 213,025,400
Sources of financing			
National school lunch act	$	45,223,000	
Federal nonfood assistance		1,300,000	
Driver license fee		5,550,000	
Elementary and secondary education act, Title IV-B		6,250,800	
Elementary and secondary education act, Title IV-C		5,614,600	
Elementary and secondary education act, Title I		80,656,600	
Elementary and secondary education act, migrant		4,362,400	
Public Law 94-142, 20 U.S.C. 1411 to 1420		2,678,600	
Midwest regional center		1,634,400	
Great Lakes area resources center		273,000	
Library services and construction act, Title I		950,000	
Library services and construction act, Title III		60,000	
Vocational education act of 1963		19,650,000	
Vocational education E.P.D.A. grant		275,900	
Education professions development act, part F		150,000	

From this amount the department shall pay each community college and K-12 school district participating in the program an amount equal to $75.00 for each full year apprentice student. Each participating community college or school district may charge each full year apprentice an annual fee of not more than $60.00 per year for the purpose of purchasing supplies and materials essential to the program. Funds for this program received by the department from other sources shall be deducted from the amounts appropriated under this section.

Sec. 23. The educational employees of the Michigan school for the blind, the Michigan school for the deaf, and the state technical and rehabilitation institute shall be considered annual employees and shall be so compensated.

Sec. 24. A position created under this act which is fully funded by federal funds shall not be continued as a state funded position when the federal funds are discontinued or cut to the point where the federal funds will not sustain the position 100% with federal funds.

[redacted]

shall be used for grants to school districts for the acquisition of high interest paperback libraries housed in reading rooms or reading centers in schools to stimulate and sustain student interest in reading and to encourage students to use and expand reading skills. Paperback libraries shall be considered an auxiliary service under section 1296 of Act No. 451 of the Public Acts of 1976, being section 380.1296 of the Michigan Compiled Laws.

(2) To receive funds, a school district shall provide from its school district funds 25% of the total funding for the reading program funded under this section.

(3) Not more than 15% of each grant shall be used for display racks and devices. None of these funds shall be used for ordering, receiving, and processing costs.

(4) Funds shall be used to establish a reading room in a single school building within each district, except where this will result in the establishment of a reading room which contains more than a maximum number of 3 books per student in that building. When funding will result in a reading room with more than 3 books per student, a district may establish reading rooms in additional school buildings.

(5) In applying for and accepting a grant under this section a school district shall agree to all of the following:

(a) To provide physical space for the collection.

(b) To provide responsible parent volunteer, paraprofessional, or professional supervision of the collection.

(c) To provide simplified circulation and book accounting procedures to encourage high utilization versus preservation.

(d) To provide direct student participation in the selection of the collection. Book selections shall be made by individual school committees composed of students, parents, and faculty. Librarians and reading specialists related to the school shall be represented on the committees.

(e) To provide that the collection be open and available during school hours, and to permit operation of the high-interest paperback libraries during preschool and postschool hours as feasible. The collection shall be available as an open library.

Sec. 26. (1) The department shall develop plans for a state teacher professional development program that places fiscal responsibility with an intermediate school district, except for a program serving a first class school district. When more than 1 intermediate school district comprises the professional development program service area, the cooperating intermediate school district boards of education, by resolution of each board, shall agree to cooperate for professional development program purposes and shall designate 1 of the intermediate school districts as the fiscal agent for the professional development program consortium. The plans shall provide for participation by all school staff in the service area. The intermediate school district shall become the fiscal agent for the state teacher professional development program for every local school district, including a first class school district, by the 1978-79 fiscal year.

(2) For each professional development program service area, other than a first class school district during the 1977-78 fiscal year, policy shall be established by a governing board consisting of not less than 50% teachers, with the balance of the board made up of representatives of school boards, administrators, teacher education institutions, and other agencies considered appropriate. The governing board for the program serving a first class school district shall develop and present to the state board of education a proposed governance system for that program which reflects the above policy in regard to governance before May 1, 1978.

supplemental request if the $3,300,000.00 appropriated in section 1 is insufficient to meet the needs of sections 1272a to 1272d of Act No. 451 of the Public Acts of 1976, being sections 380.1272a to 380.1272d of the Michigan Compiled Laws.

Sec. 35. (1) Not more than $10,000.00 appropriated in section 1 shall be expended in the aggregate for automatic data processing by any state department unless the amount to be expended is appropriated in Senate Bill No. 456 of the 1977 regular session of the legislature. Expenditures for automatic data processing other than those appropriated in Senate Bill No. 456 shall be reported to the house and senate subcommittees on computers and data processing 6 months before the end of the fiscal year, and not later than 30 days after the end of the fiscal year.

(2) The department of management and budget shall define automatic data processing and issue a copy of its definition by September 1, 1977, to the house and senate subcommittees on computers and data processing. The definition shall be used to implement this section.

This act is ordered to take immediate effect.

Billie S. Farnum
Secretary of the Senate.

Thos. Thatcher
Clerk of the House of Representatives.

Approved

William G. Milliken
Governor.

To Joe Snyder — with respect and warm good wishes.
William G. Milliken

PAPERBACK LIBRARY FUNDING FORMULA

To determine the total number of dollars available to be spent in the program the following formula is used. X equals the total number of dollars. $550,000 is the state appropriation.

$$\frac{\$550,000}{75\%} = \frac{X}{100\%}$$

$$.75\ X = \$550,000 \times 100\%$$

$$.75\ X = \$550,000$$

$$X = \frac{\$550,000}{.75}$$

$$X = \$733,300 \quad \text{TOTAL FUNDS}$$

"Read me my report card, Dad."

$733,300	Total Funds
- $550,000	State Appropriation
$183,300	Local Contribution

$$\frac{\$183,300}{\$733,300} = 25\%$$

The local contribution is equal to 25% of the total number of dollars available to be spent.

$$\frac{\$183,300}{\$550,000} = 33\%$$

The local contribution is equal to 33% of the state appropriation.

THE LIBRARY OF CONGRESS

Congressional Research Service

WASHINGTON, D.C. 20540

Revised August 19, 1977
April 15, 1977

TO: Chris Cross, Jean Frolicher, Greg Fusco and Jack Jennings

FROM: Education and Public Welfare Division

SUBJECT: Review of Section 842 Program: Assistance to States for State Equalization Plans.

Summary

Section 842 of the Education Amendments of 1974 (P.L. 93-380) authorizes financial assistance to reimburse States for the cost of developing or administering equalization plans designed to implement programs of State aid for free public education. Such programs must (a) be consistent with standards required by the fourteenth amendment to the U.S. Constitution, and (b) have as their primary purpose equality of educational opportunity for all children attending schools of local educational agencies within a State. Federal money is to be allocated on the basis of population, with the most populous State eligible to receive a maximum of $1,000,000 and the least populous $100,000. Only the "reasonable amounts expended" are to be reimbursed.

By August 10, 1977, 45 States had been given funds under this program. Some have received money for planning completed prior to their applications but most are receiving it for planning in progress or yet to be done. The deadline for submission of a proposal to conduct a study was August 15, 1977. Some of the remaining five States may choose to conduct a study with State funds and seek Federal reimbursement upon completion and submission of the State plan. Under an amendment to the statute, plans developed under this program must be submitted by October 1, 1978.

After reviewing the program, we think the following matters should be brought to your attention:

1. Applications vary widely in the detail they provide about planning and budgets. Some applications have clearly defined goals, specific work assignments, and extensive cost data. In other applications, it is difficult to tell exactly what States will do with the money they receive.

2. Applications mention a wide variety of planning tasks. Some applications clearly indicate how the tasks will be useful in helping States deal with certain school finance problems which must be resolved. However, in most applications the rationale for the tasks is not explicitly stated. It cannot easily be told how the planning will lead to plans which satisfy the equity guidelines. Occasionally the Office of Education has reimbursed States for activities which might be interpreted as beyond the scope of the legislation.

3. The Office of Education is responsible for evaluating plans eventually submitted by the States with respect to the equity guidelines in the regulations. However, sometimes it seems that the guidelines are used for evaluating the State aid programs as well. Moreover, in some respects the guidelines may extend beyond the standards found in the statute; in other respects they may not be consistent with the standards being developed for the equalization test found in Section 5(d)(2) of the impact aid program (P.L. 874).

An appendix showing allocations and awards to each State is attached.

Forbis Jordan
Robert Lyke

REVIEW OF SECTION 842 PROGRAM: ASSISTANCE TO STATES FOR STATE EQUALIZATION PLANS

The legislation

Section 842 of the Education Amendments of 1974 (P.L. 93-380) authorizes financial assistance to reimburse the 50 States for the cost of developing or administering equalization plans designed to implement programs of State aid to local educational agencies. These State aid programs must be for free public education and must be based upon the following two principles:

a) they must be consistent with such standards as may be required by the fourteenth amendment to the U.S. Constitution; and

b) they must have as their primary purpose the achievement of equality of educational opportunity for all children attending local educational agency schools within a State.

Section 842 originated in slightly different form in S. 1539 of the 93rd Congress (the House bill, H.R. 69, contained no comparable provision). S. 1539 had a third principle in addition to the two listed above: State aid programs must take into consideration the extent to which local educational agencies serve areas with high concentrations of children from low-income families or areas which are heavily urbanized. The Conference Committee on H.R. 69 deleted this provision because the conferees believed the other two principles incorporated it.

Under Section 842 the Commissioner of Education is given responsibility for developing equity guidelines for the equalization plans developed by the States with the program money. These guidelines are to be based upon the two previously mentioned principles for State aid programs (note that the guidelines are to be used for evaluating the

plans: they are not necessarily to be used for evaluating the applications to do planning or the State aid programs which in fact are or will be enacted). No later than April 1, 1975, the Commissioner was to publish the guidelines in the Federal Register and submit them to the House and Senate (publication was actually on April 9, 1975). No later than July 1, 1975, he was to republish them, including whatever amendments had been made, and to add as well a summary of and his comments upon the views and recommendations of interested parties (publication was actually on August 1, 1975). The House and Senate were given the opportunity to adopt resolutions disapproving the guidelines (though neither has done so). A State may reject any of these guidelines provided it gives the reason for each rejection.

The Report on S. 1539 by the Senate Committee on Labor and Public Welfare contains the following passages about the content of the guidelines:

> Concern has been expressed to the Committee that giving the Commissioner authority to devise guidelines for State equalization programs will inevitably lead to Federal control of education. Nothing could be farther from the Committee's intent...
>
> It is the Committee's intent that the guidelines for State equalization plans be drawn as broadly as possible, so that a State is given the utmost flexibility to develop a program for equalizing educational expenditures which reflects that State's own unique status and needs...

Further on the Report continues:

> The Committee did not believe it wise, in light of the current fiscal situation and because the issues in Federal legislation in the area deserved additional study, to mandate any

> rigid approach to school finance equalization at this time. However, it is the Committee's view that States should be strongly urged to plan for changes in their own systems...

Section 842 originally specified that plans which are developed under its funding were to be submitted by July 1, 1977. Section 326 of the Education Amendments of 1976 (P.L. 94-482) changed this date to October 1, 1978.

Federal money is to be allocated on the basis of population, with the most populous State to receive a maximum of $1,000,000 and the least populous $100,000 (these States are California and Alaska, respectively). Only the "reasonable amounts expended" are to be reimbursed.

Money for the Section 842 program has been appropriated in two acts. P.L. 94-303, the Second Supplemental Appropriations Act of 1976 (June 1, 1976), provided $3,000,000. P.L. 94-439, the Labor-HEW Appropriations Act for fiscal year 1977 (September 30, 1976), provided $10,500,000.

The regulations

Final regulations for Section 842 were published in the Federal Register on August 1, 1975 (pages 32329-32335). The regulations are Part 156 of Title 45 of the Code of Federal Regulations.

Several sections of the regulations merit mention. In 156.3(b) the "administration" of a plan mentioned in the legislation is defined as "implementation." It is meant to include activities for getting the plan adopted and functioning as a State aid program. It is not meant to include activities for operating the program itself. As noted later, however, it appears that at least one State may be using some Section 842 money as reimbursement for expenses involved in operating a program.

In 156.3(d) the "State plan" is defined as a

> ...detailed description of the State's policies, program, and operating procedures relating to the State's program of financial assistance to local educational agencies in that State. The plan may be, but is not limited to those policies, programs, and operating procedures which have been enacted into law.

Under this definition it is not clear that a plan will always be distinguishable from a program. As noted later on, the equity guidelines, which are to be used for evaluating plans, sometimes seem to be applied to actual State aid programs as well.

In 156.4(a) eligibility to submit applications is extended not only to State educational agencies but also to other State agencies or instrumentalities which State law designates or creates for purposes of Section 432. This provision enables a State to apply for reimbursement even though the State educational agency opposes equalization planning. In some States it has also apparently led to competition among several governmental bodies for the right to apply.

According to 156.5(d),

> An application for reimbursement shall set forth a detailed account of costs incurred or a schedule of reimbursement for costs to be incurred.

As noted later on, however, some applications do not provide much detail about costs, even when the State is requesting reimbursement for planning which has been completed.

Finally, under Subpart B of the regulations the equity guidelines for State plans are spelled out. Under the statute, these guidelines

are to be used to evaluate the plans submitted as a result of the planning paid for by Section 842 money; in particular, they are to be used to see whether the plans are designed to implement an equitable school finance program. According to 156.10 a plan may reject any of the guidelines, but it cannot "in substantial part" reject the two principles for State aid programs set forth in the legislation. It is not clear how many guidelines a State may reject and still be considered eligible for reimbursement.

Eight equity guidelines are given:

> Adequate educational programs: the State shall determine that level of educational programs, supportive services, and facilities that is adequate to ensure equal educational opportunity for all pupils enrolled in local educational agencies.
>
> Cost variations: the "financial assistance plan" (see below) shall identify pupils with varying and greater educational needs and shall recognize these needs in funding programs, services, and facilities.
>
> Comprehensiveness of program: the "financial assistance plan" shall include all necessary program, services, and facility costs.
>
> Equalizing financial ability: the "financial assistance plan" shall ensure that resources expended for the programs, services, and facilities reflect the wealth of the State as a whole; it shall justify the proposed measures of local educational agency financial ability; it shall also ensure that uniform procedures will be used in the measurement of wealth against which taxes for education are levied.
>
> Tax support: the "financial assistance plan" shall be financed by an equitable tax system.
>
> Educational and financial decisions: the "financial assistance plan" shall encourage citizen interest and participation in education decision-making.

> Educational efficiency: the "financial assistance plan" shall encourage efficiency in the size and operation of school districts and in the delivery of educational programs and services as a means of promoting equality in educational opportunity.
>
> Evaluation: the "financial assistance plan" shall include systems and procedures for evaluating the degree to which the plan is achieving its stated objectives (including equality of educational opportunity).

The term "financial assistance plan" is not defined in the regulations. In the guideline on tax support, it seems to refer to the State aid program which might be implemented. In the guidelines on educational and financial decisions, it seems to be used for the entire body of possible State legislation pertaining to school finance. In the guideline on equalizing financial ability, it appears to include prescriptive discussion as well. This ambiguity makes it difficult to understand precisely what the Office of Education intends to evaluate with the guidelines.

Applications

As of August 10, 1977, applications had been approved for 45 States (see the appendix for details). Of this number, 41 had been submitted by the State educational agency or State board of education, two by executive branch offices of finance and administration (Massachusetts and New Mexico), and two by a legislative committee or agency (Arkansas and Oregon).

Exact information is not available concerning the reasons why the remaining five States have not submitted applications. Since April 15, 1977, 12 States have submitted applications. Of the remaining five States, conflicts may exist among the legislature, State education agency, and the governor. In some States, opposition to the concept of equalization may prevent the submission of an application. Of course, the

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provisions of the legislation do provide for reimbursement of expenditures incurred in the development of a plan, and a State has until October 1, 1978, to submit an acceptable plan. Consequently, one or more of the remaining five States may complete a study and submit a plan prior to October 1, 1978, and receive its allocation on a reimbursement basis. This latter situation may occur with West Virginia, for that State is conducting a study with State appropriated funds and could be reimbursed with Federal funds upon completion of the study and approval of plan by USOE.

Applications vary widely in the detail they provide about planning. Some of the applications have clearly defined objectives, specified planning activities, information about personnel involved, work schedules, and definite anticipated products. It is possible to tell what Federal money is being used for. Applications from Colorado, Georgia, Louisiana, Minnesota, and New Mexico are especially informative.

On the other hand, some applications do not provide much detail. In some, objectives are stated but little information is given about planning activities. In others, activities are listed but are not related to readily identifiable objectives. A number have virtually no discussion of personnel, schedules, or products. In a few applications -- particularly those with xeroxed copies of documents prepared for other purposes -- it would be difficult even to summarize the contents of the folders. In these instances, it is not clear what Federal money is being used for. Applications from Alabama, Florida, Massachusetts, New Jersey, Ohio, and Washington do not have much detail.

There is a similar contrast in the budget detail available in the applications. Several States provided breakdowns for the cost of

separate planning tasks, for the salaries and wages of personnel, for travel expenses, for overhead reimbursement, etc. It is possible to get at least a rough idea of what school finance planning costs. Applications from Georgia, New York, North Carolina, and Rhode Island were among those with extensive detail.

On the other hand, most States provided the Office of Education with only lump-sum figures for expenditures described as "personnel," "fringe benefits," "contractual," etc. Some States had sizable sums listed under "other." Even when detail was given, sometimes it was not related in any obvious way to the planning tasks. Identifying what school finance planning costs in these States would be very difficuilt. Applications from California, Indiana, Iowa, Massachusetts, Mississippi, Montana, New Jersey, Ohio, Oregon, Pennsylvania, Vermont, and Washington were among those with little budget detail.

For 10 States the Office of Education has stipulated that additional information about planning activities and budgets must be provided. However, for the most part this information from these States need not be submitted before the State receives Federal money. There is also the possibility that HEW will monitor the State planning programs to see if money is being spent properly. However, Stater are not required to provide more budget and expenditure information in lieu of an audit.

Use of funds

Of the States for which Section 842 grants have been approved, 5 are being reimbursed solely for expenses incurred in the development

of school finance plans completed prior to filing the application; fifteen are being given funds solely for expenses for proposed planning; and thirteen are receiving funds for both. Some of the States reimbursed for expenses incurred prior to their application evidently will use some of the funds for additional work on school finance even though they are not legally required to do so.

Applications mention a number of planning tasks: evaluating the existing school finance system, compiling and managing revenue and expenditure data, developing the capacity to do computer simulations, measuring variations in local school districts' fiscal capacity, measuring variations in local districts' educational needs, preparing pupil weighting formulas, measuring variations in the cost of educational services, studying transportation or school construction costs, and projecting enrollment and other cost data.

Many States are using funds for consultants or contracts. In Delaware and Georgia the entire entitlement has been contracted for studies to be done at their respective State universities. Ohio is contracting out about three-quarters of its money; California, more than half. Altogether, approximately $2.6 million of the funds now alloted will go for contractual expenses.

In some applications there is discussion of how the planning tasks will be useful in helping States deal with certain school finance problems which must be resolved. However, only occasionally is there explicit discussion of how the planning will better enable a State to prepare a plan which meets each of the equity guidelines found in the

regulations. For the most part applications have only general discussions of these issues. Since the Office of Education has not evaluated the applications with respect to the equity guidelines, at least not in a rigorous way, it is not clear how it will use them to evaluate the plans which get submitted. It is also not clear what it will ask States to do if their plans do not substantially meet the equity standards in those guidelines.

Occasionally the Office of Education appears to have authorized reimbursement for expenditures which might be interpreted as beyond the scope of the legislation. Of course, this judgment would have to be verified by a detailed on-side inspection. However, the following examples illustrate activities that may be questionable under the legislation. The State of Alabama was reimbursed $62,057 for the preparation and printing costs of three booklets dealing with accreditation, one booklet on regulations governing the schools, and one booklet entitled, Alabama Course of Study -- Social Studies. Costs of personnel (including architects) who worked on the Handbook on Planning School Facilities were also covered. The State of Washington was reimbursed $52,939 for a 1972 study of the State's pupil transportation program, only part of which dealt with costs. Florida received $63,184 for salaries for administering the Florida Education Finance Program. New York is planning to spend $15,000 on a study of nonpublic education.

The equity guidelines

The equity guidelines in the regulations raise several problems. Some have already been mentioned. It is not always clear what the

Office of Education will evaluate to see if a State has met the equity standards; sometimes it appears to be the plan itself, sometimes the State aid program which that plan might implement, sometimes the existing State aid program, etc. It is not clear how many guidelines a State may reject and still be eligible for reimbursement. And it is not clear what the Office of Education will ask States to do if it decides that their plans (which need not be submitted until October 1, 1978) do not meet the guidelines.

Two other possible problems should also be mentioned. The legislation states that programs of State aid to be implemented from the plans should be based upon the following two principles:

a) they must be consistent with such standards as may be required by the fourteenth amendment to the U.S. Constitution; and

b) they must have as their primary purpose the achievement of equality of educational opportunity for all children attending local educational agency schools within a State.

Many people would argue that the first principle does not establish much of an equalization standard. In the United States Supreme Court's one major decision on the issue (San Antonio v. Rodriguez, 1973), it was held that public school finance programs, even if they do not bring about equalization, do not conflict with the equal protection clause of the fourteenth amendment so long as the way they are designed bears a rational relationship to a legitimate State purpose. Since the Texas school finance program in dispute was found to meet this test, it can be assumed that the finance programs in many other States would also meet it. It is difficult to see how any plan submitted under Section 842 could be faulted on account of the first principle.

The wording of the second principle suggests that it requires higher standards of equalization than the first principle. However, it is not clear what standards can be derived from the phrase, "equality of educational opportunity." This means different things to different people. Neither the Report on S. 1539 nor the Conference Committee Report indicates what the legislative intent was. In fact, as has previously been mentioned, the Report on S. 1539 stresses that States are to be given wide discretion in their approach to school finance equalization. It is difficult to see what standards could be required, though as the Office of Education notes (Federal Register, August 1, 1975, page 32332),

> ...it does not appear that [Section 842] was intended to provide no basic standards whatsoever.

Yet it can be argued that the particular equity guidelines established in the regulations go beyond the standards implicit in the statute. The guidelines on decision-making and evaluation do not appear to be closely related to whether opportunities for students are equal. Many analysts claim that tax equity is not necessary for educational equity. Some would argue that school finance programs can meet a test for equality even though they are inadequate or inefficient. Only three of the eight guidelines (those dealing with cost variations, comprehensiveness of program, and equalizing financial ability) appear to be central to a standard for equalization.

A second possible problem with the guidelines is that the standards of equalization they contain are different from the standards being

developed for the equalization test found in Section 5(d)(2) of the impact aid program (P.L. 874). Section 5(d)(2) permits eligible States to take Federal impact aid payments into consideration when calculating State aid to local school districts (they otherwise are prohibited from doing so). To be eligible, a State must have a program of State aid for free public education designed to equalize expenditures among local educational agencies in the State. Such a program must meet at least one of three sets of equalization standards: an expenditure disparity standard, an exceptional circumstances standard, or a fiscal neutrality standard. Final regulations have already been published for the first two sets of standards; they have just been proposed in revised form for the third (Federal Register, March 22, 1977, pages 15540-15550). These regulations became effective on July 1, 1977

It has not yet been determined how many States have school finance programs which will meet one of these tests for equalization. However, according to a study by John Callahan and others, only a small number are likely to be found eligible. A number of States generally considered as "reform" States will not be able to meet any of the tests. More important, some States with programs considered acceptable under the equity guidelines for Section 842 may not be able to meet any of them. Although the legislative purposes of Section 5(d)(2) and Section 842 are different, some people are likely to contend that the Office of Education is using different standards to measure essentially the same thing.

Section 842 P.L. 93-380

Entitlements, Requests, and Awards
as of August 10, 1977

State	Entitlement	Amount Requested	Amount Awarded	Amount of Remaining Entitlement
Alabama	241,739	241,739	241,739	-0-
Alaska	100,000	100,000	100,000	-0-
Arizona	179,723	179.723	179.723	-0-
Arkansas	175,690	175,100	175,100	590
California	1,000,000	1,000,000	1,000,000	-0-
Colorado	195,281	195,275	195,275	6
Connecticut	220,307	220,307	220,307	-0-
Delaware	110,344	110,344	110,344	-0-
Florida	440,015	440,015	440,015	-0-
Georgia	298,802	298,802	298,802	-0-
Hawaii	122,484	122,484	122,484	-0-
Idaho	119,942	119.942	119,942	-0-
Illinois	574,171	574,171	574,171	-0-
Indiana	317,911	317,911	317,911	-0-
Iowa	210,270	210,270	210,270	-0-
Kansas	184,368	184,368	184,368	-0-
Kentucky	232,053	232,053	232,053	-0-
Louisiana	249,934	-0-	-0-	249,934
Maine	131,030	131,030	131,030	-0-
Maryland	264,266	264.266	264.266	-0-
Massachusetts	339,211	339,211	339,211	-0-
Michigan	484,631	484,631	484,631	-0-
Minnesota	256,203	256,203	256,203	-0-
Mississippi	187,349	187,349	187,349	-0-
Missouri	294,200	208,460	208,460	85,740
Montana	117,356	117,016	117,016	340
Nebraska	152,593	152,593	152,593	-0-
Nevada	110,212	-0-	-0-	110,212
New Hampshire	120,468	-0-	-0-	120,468
New Jersey	405,961	405,961	405,961	-0-
New Mexico	134,098	134,098	134,098	-0-
New York	878,379	878,379	878,379	-0-
North Carolina	320,628	320,628	320,628	-0-
North Dakota	112,929	112,929	112,929	-0-
Ohio	555,983	555,983	555,983	-0-

State	Entitlement	Amount Requested	Amount Awarded	Amount of Remaining Entitlement
Oklahoma	202,557	202,557	202,557	-0-
Oregon	183,886	183,886	183,886	-0-
Pennsylvania	604,018	604,000	604,000	18
Rhode Island	126,165	126,165	126,165	-0-
South Carolina	206,667	206,667	206,667	-0-
South Dakota	114,902	114,902	114,902	-0-
Tennessee	266,896	266,896	266,896	-0-
Texas	611,731	611,731	611,731	-0-
Utah	136,728	136,728	136,728	-0-
Vermont	105,566	105,566	105,566	-0-
Virginia	300,249	-0-	-0-	300,249
Washington	238,189	238,189	238,189	-0-
West Virginia	163,243	-0-	-0-	163,243
Wisconsin	285,172	285,172	285,172	-0-
Wyoming	100,921	100,879	100,879	42
Total	13,485,431	12,454,579	12,454,579	1,030,852

PART 7: WOMEN'S EDUCATIONAL EQUITY ACT AND THE ETHNIC HERITAGE STUDIES ACT

THURSDAY, JULY 14, 1977

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:45 a.m., in Room 2175, Rayburn House Office Building, Hon. Carl D. Perkins, chairman of the subcommittee, presiding.

Members present: Representatives Perkins, Simon, Miller, Mottl, Weiss, Kildee, Buchanan, Goodling, and Pursell.

Staff present: John F. Jennings, majority counsel; Christopher T. Cross, Minority Senior Education Consultant; Nancy L. Kober, staff assistant.

Chairman PERKINS. The committee will come to order.

The Subcommittee on Elementary, Secondary, and Vocational Education is continuing hearings today on H.R. 15, a bill to extend for 5 years certain elementary and secondary education programs, that expire at the end of the fiscal year 1978.

The hearing today will focus on the Women's Educational Equity Act program, and the Ethnic Heritage Studies Program.

The Women's Educational Equity Act, section 408 of the Special Projects Act, Public Law 93-380, makes grants available to public agencies, private, nonprofit organizations, and individuals for projects to advance the goal of educational equity for women.

Activities that can be funded under the act include the development of educational materials, pre-service and in-service training, research, guidance and counseling, and model programs to increase educational opportunities for women. The appropriation level for this program is $7.27 million for fiscal year 1977.

The Ethnic Heritage Studies program, title IX of the Elementary and Secondary Education Act, was first enacted in Public Law 92-318. This title authorizes the commissioner to make grants to public and private nonprofit agencies, institutions, organizations for programs to aid students in learning about their own cultural heritage.

Funds can be used for the development and dissemination of curriculum materials related to contributions of ethnic groups and training persons in using these materials. The fiscal 1977 appropriation is $2.3 million.

I am going to ask, before we hear the panel on Women's Educational Equity this morning, Dr. William H. Martin, Chief of the Ethnic Heritage Studies Branch, U.S. Office of Education, to come to the table.

Without objection, your prepared statement will be inserted in the record.

[The statement of Dr. Martin follows:]

FOR RELEASE UPON DELIVERY

Statement by
William H. Martin
Chief, Ethnic Heritage Studies Branch
U.S. Office of Education
Department of Health, Education, and Welfare
Before the
Subcommittee on Elementary, Secondary, and Vocational Education
Committee on Education and Labor
House of Representatives
Thursday, July 14, 1977
9:30 a.m.

Dr. Martin is accompanied by:

Dr. Harry L. Phillips, Deputy Assistant Commissioner for Legislation, Office of Education, HEW

Mr. Chairman and Members of the Subcommittee:

I am pleased to appear before you to discuss the Ethnic Heritage Studies Program.

In response to conceptual changes in American society coupled with expressions of interest by various ethnic groups and organizations, Congressman Roman Pucinski of Illinois introduced H.R. 1499, to the House on January 22, 1971. The bill sought to amend the Elementary and Secondary Education Act by adding a new Title IX--Ethnic Heritage Studies. This title authorized the Commissioner of Education to arrange through grants to public and non-profit private educational agencies and organizations for the establishment and operation of a number of ethnic heritage studies projects, reflecting the readily identifiable ethnic groups in the population of the United States. Senator Richard S. Schweiker of Pennsylvania introduced on January 25, 1971, a similar bill known as S. 23, "The Ethnic Heritage Studies Centers Act of 1971." The program proposed by this Act would "afford students an opportunity to learn about the nature of their own cultural heritage, and to study the contributions of the cultural heritages of the ethnic groups of this Nation." The Pucinski bill was approved by the House Education and Labor Committee on September 30, 1971, as part of the House Omnibus Higher Education Bill. On November 4, 1971, the full House of Representatives voted 200 to 159 to delete the ethnic studies section from the education bill. The bill was referred to the Conference Committee to work out the differences between the Senate and House versions. The Schweiker bill was referred to the Senate Labor and Welfare Committee, which approved the bill as a part of S. 659, The Omnibus Higher Education Amendments of 1971. The bill, reported out of the Committee to the full Senate on July 15, 1971, was subsequently approved by the Senate August 6, 1971.

As a result of negotiation, the section was put back in S. 659, the Education Amendments of 1971, with a change in title from Ethnic Heritage Studies Centers to Ethnic Heritage Studies Program, and was subsequently approved by the Senate-House Higher Education Act Conference on April 13, 1972. The President signed the Education Amendments of 1972 (P.L. 92-318) on June 23, 1972. Section 504 of the new law amended the Elementary and Secondary Act of 1965 by adding at the end thereof a new Title IX.

The new title following the Senate version also established a National Advisory Council on Ethnic Heritage Studies to be appointed by the Secretary, and to assist the Commissioner in coordinating the program.

Funds under the Senate version were to be used for establishing, equipping, and operating centers, but not for construction. The House added the following modifications to the Senate provisions:

1. Deleting the authorization for fiscal year 1972 and reducing fiscal year 1973 authorization to $15,000,000.

2. Deleting the reference to "centers" throughout the amendment. Rather, grants will be made for "projects."

The legislation, first of all, authorized the Commissioner to make grants to and contracts with public and private non-profit educational agencies, institutions, and organizations to assist them in planning, developing, establishing, and operating ethnic heritage studies programs.

Eligible organizations include ethnic, community, and professional associations and local educational agencies, State educational agencies, and institutions of higher education. Authorized activities include developing or disseminating curriculum materials, providing in-service training of teachers and cooperating with persons and organizations with a special interest in the ethnic group or groups with which the program is concerned.

The legislation also provided for determining the non-profit status of non-public educational organizations and agencies; for indicating funds which will be made available and for what purposes. It made it mandatory for an applicant to coordinate his or her efforts with other programs and sets forth the funding criteria.

An initial appropriation of $2,375,000 in fiscal year 1974; a second and third appropriation of $1,800,000 have made possible the funding to date of 140 grants. For 1977, it is expected that 64 grants will be awarded from an appropriation of $2,300,000. The level of interest in the program has remained high, with some 1,000 applications submitted the first year and about 600 for each other year during the life of the program.

A more detailed description of the funding history follows:

Fiscal Year	Budget Request	Appropriation	Obligations
1974	$ -0-	$2,375,000	$2,375,000
1975	-0-	1,800,000	1,800,000
1976	1,800,000	1,800,000	1,800,000
1977	1,800,000	2,300,000	2,300,000

During the first two years, about one-third of the projects concentrated on curriculum material development, another third on training, and about 15 percent in the area of dissemination, with the remainder of the projects representing a combination of these activities. As a result of the suggestions made by the 15-member National Advisory Council on Ethnic Heritage Studies, highest priority is now given to projects which concentrate on the training of teachers.

The breakdown of projects over a three-year period is presented in the table that follows:

ETHNIC BREAKDOWN OF PROJECTS

1974-75

AFRO-AMERICAN (2)
ALASKA NATIVE
APPALACHIAN
BALTIC-AMERICAN
CHICANO-AMERICAN (2)
CROATION-AMERICAN
CZECH-AMERICAN
GREEK-AMERICAN
HAWAIIAN/SO. PACIFIC
ITALIAN-AMERICAN
JAPANESE-AMERICAN
JEWISH-AMERICAN
NATIVE-AMERICAN
SCANDINAVIAN-AMERICAN

42 Projects
16 Mono-ethnic Groups
26 Multi-ethnic Groups

1975-76

AFRO-AMERICAN
APPALACHIAN (2)
ARMENIAN-AMERICAN
CHICANO-AMERICAN (2)
CHINESE-AMERICAN
CUBAN/PUERTO RICAN-AMERICAN
ESTONIAN-AMERICAN
FRANCO-AMERICAN
GREEK-AMERICAN
HAWAIIAN/SO. PACIFIC
AMERICAN MIGRANTS
NATIVE-AMERICAN (5)

49 Projects
18 Mono-ethnic Groups
31 Multi-ethnic Groups

1976-77

AFRO-AMERICAN (3)
ARAB-AMERICAN
ASIAN-AMERICAN
CAPE VERDEAN-AMERICAN
CARIBBEAN-AMERICAN
CHINESE-AMERICAN
CUBAN-AMERICAN
EUROPEAN-AMERICAN (2)
FILIPINO-AMERICAN
FINNISH-AMERICAN
FRANCO-AMERICAN
HAWAIIAN/ASIAN-AMERICAN
HISPANIC-AMERICAN
NATIVE-AMERICAN (3)
NATIVE/SPANISH-AMERICAN
POLISH-AMERICAN
ROMANIAN-AMERICAN
SCANDINAVIAN-AMERICAN
SO. PACIFIC ISLANDERS (TRUST TERR.)
WELSH-AMERICAN
SOUTHERN AGRARIANS

49 Projects
26 Mono-ethnic Groups
23 Multi-ethnic Groups

The newness of the program, the issues which surround it, and the diversity of eligible applicants--who represent all levels of education and all types of educational enterprise from museums, historical societies, and ethnic groups to research associations, public and private schools, and institutions of higher education--all make for a diversified and multi-faceted program.

Projects supported under the program provide, as indicated elsewhere, Federal assistance for developing curriculum materials for use in elementary or secondary schools and institutions of higher learning; for disseminating such curriculum materials; and for training persons using or preparing to use ethnic heritage curriculum materials developed under the program. Projects funded under this authority should exhibit cooperation with persons and organizations which have a special interest in the ethnic group or groups with which the program is concerned to assist them in promoting, encouraging, developing, or producing programs or other activities which relate to the history, culture, or traditions of a perticular group or groups.

From FY 1974 to FY 1976, 140 grants totaling $5,995,000 were awarded in the three categories (curriculum development, training, and dissemination) covered by the program. Since the inception of the program, as shown in the table that follows, proposals have been received from every State except Maine, as well as from the District of Columbia, Puerto Rico, the Virgin Islands, and the Pacific Trust Territories. As elsewhere indicated, many of the proposals submitted and funded have been multi-ethnic in scope. For example, in the first year of the Ethnic Heritage Studies Program, of the 39 projects launched, twelve focused on the experience of a single ethnic group; 23 explored the heritage of several (two to 20) ethnic groups; and four concentrated on issues relevant to all ethnic groups. During the first year of the program, each project was obliged to develop and disseminate curriculum materials, and train teachers in the use of these materials.

The following products were developed:

Curriculum materials for secondary social studies teachers, containing narrative reference material, teaching strategies, classroom activities, and bibliographies (38 projects).

Multimedia learning packages (13 projects). The audiovisual components of these packages include films, videotapes, slides, filmstrips, slide/tapes, photographs, audiotapes, and records.

Film, videotapes, audiotapes, and slide/tapes that are complete in themselves (10 projects).

These tasks proved to be especially difficult to accomplish during a twelve-month period and, thus, beginning with the second year of the program in 1975 only one of these three components was required at the elementary, secondary, or higher education levels. In the next two years, 1975-1976, the development of materials for curriculum was stressed and 50-55 percent of funding support was earmarked for this component.

Title IX projects have led to the creation of many other materials including course outlines, collections of monographs, essays and articles, informational pamphlets, presentations of teaching methods and of various educational approaches, analyses, and instruments, studies of neighborhoods in their historical and ethnic contexts, and oral histories from elderly citizens in which we often captured incidents that had eluded the written word. There have been workshops, ethnic awareness sessions, workshop manuals, and study guides, the products of both small and large ethnic programs. A collection of ethnic plays and a computerized ethnic data bank are also among the many diverse projects which have intrigued students and researchers. Many of the materials which have been produced have been published, and teachers from schools where ethnic heritage studies are now assisted have noted the added interest with which students have pursued ethnic studies. It is no exaggeration to say that the Title IX projects have in fact added a new dimension to the study of the social sciences and humanities.

Three projects are being published by organizations with national marketing and distribution mechanisms. In four projects, teachers use curriculum materials.

The Ethnic Heritage of South Carolina, a syllabus developed by Charleston County School District, is being used by 95 eighth-grader social studies teachers and will influence the educational experience of 5,000 students. In several significant instances, Title IX ethnic heritage projects have also been utilized to facilitate desegregation.

As the ethnic heritage studies program has evolved, there has been increased collaboration and coordination among project directors of the ethnic studies programs. It is interesting to note, too, that the majority of the projects acquired valuable data and ethnic resources from community ethnic groups or persons who worked actively in the creation of ethnic materials. Thus, the involvement of the communities and cooperation with persons and organizations having a special interest in ethnicity have engendered awareness and new understanding of the peoples around us. Both the advisory council members and members of numerous community organizations have labored with the staff of the various projects, to the benefit of the quality and authenticity of the materials produced by the Title IX projects.

The materials which have been produced and are currently in use are varied, innovative, and in many instances most creative. The materials produced under the program have enjoyed widespread usage throughout the country. This is not merely because schools and organizations in different sections of the country have produced such items, which may be disseminated through the ERIC System of the Office of Education. This is particularly so because many State agencies have received support for setting up programs on ethnic heritage studies and will turn to many sources for training techniques and curriculum materials.

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ETHNIC HERITAGE STUDIES PROJECTS--1974-1976

STATE	1974	1975	1976	TOTAL PROJECTS	TOTAL ALLOCATION
ALABAMA	1	-	1	2	$ 70,000.
ALASKA	1	-	-	1	60,000.
ARIZONA	-	-	1	1	38,000.
ARKANSAS	-	-	-	-	-
CALIFORNIA	3	4	3	10	432,000.
COLORADO	1	1	1	3	118,000.
CONNECTICUT	1	1	2	4	195,500.
DELAWARE	-	1	-	1	40,000.
FLORIDA	1	-	1	2	78,000.
GEORGIA	-	1	1	2	76,000.
HAWAII	1	1	1	3	125,000.
IDAHO	-	1	-	1	37,000.
ILLINOIS	3	1	2	6	311,000.
INDIANA	1	-	1	2	72,000.
IOWA	1	1	1	3	102,000.
KANSAS	-	1	-	1	45,000.
KENTUCKY	-	-	1	1	39,000.
LOUISIANA	-	1	-	1	42,000.
MAINE	-	-	-	-	-
MARYLAND	-	1	3	4	114,000.
MASSACHUSETTS	3	3	1	7	280,000.
MICHIGAN	1	1	2	4	274,000.
MINNESOTA	2	1	1	4	165,000.
MISSISSIPPI	-	-	-	-	-
MISSOURI	1	-	-	1	50,000.
MONTANA	-	1	-	1	26,000.
NEBRASKA		1	-	1	31,000.
NEVADA	-	1	-	1	35,000.
NEW HAMPSHIRE	-	-	1	1	33,000.

STATE	1974	1975	1976	TOTAL PROJECTS	TOTAL ALLOCATION
NEW JERSEY	2	2	-	4	$197,000.
NEW MEXICO	1	1	2	4	118,000.
NEW YORK	5	4	7	16	665,000.
NORTH CAROLINA	-	2	-	2	82,000.
NORTH DAKOTA	-	-	1	1	38,000.
OHIO	1	1	1	3	251,000.
OKLAHOMA	-	-	1	1	40,000.
OREGON	1	1	1	3	104,000.
PENNSYLVANIA	3	2	2	7	272,000.
RHODE ISLAND	1	1	-	2	91,000.
SOUTH CAROLINA	1	-	1	2	68,000.
SOUTH DAKOTA	1	-	-	1	45,000.
TENNESSEE	-	-	-	-	-
TEXAS	1	2	1	4	168,000.
UTAH	-	1	-	1	38,000.
VERMONT	-	-	1	1	13,000.
VIRGINIA	1	1	1	3	131,500.
WASHINGTON	-	1	1	2	70,000.
WEST VIRGINIA	-	1	-	1	45,000.
WISCONSIN	1	1	1	3	118,000.
WYOMING	-	-	1	1	38,000.
AMERICAN SOMOA	-	-	-	-	
DISTRICT OF COLUMBIA	2	5	2	9	401,000.
GUAM	-	-	-	-	
PUERTO RICO	-	-	-	-	
TRUST TERRITORIES	-	-	1	1	39,000.
Totals	42	49	49	140	

Chairman PERKINS. Can you proceed accordingly?

STATEMENT OF WILLIAM H. MARTIN, CHIEF, ETHNIC HERITAGE STUDIES BRANCH, U.S. OFFICE OF EDUCATION

Dr. MARTIN. Yes, Mr. Chairman.

Mr. Chairman, it is a real pleasure for me to talk to this group about the Ethnic Heritage Studies Program, which is currently in its 4th year. This program grew out of racial and ethnic turmoil of the sixties, during which time people became aware of the need for intercultural vision.

This program provides Federal assistance for curriculum material development, training of teachers, and dissemination of materials related to the American ethnic experience. The program grew out of legislation which was introduced in the House by Roman Pucinski, and in the Senate by Richard S. Schweiker.

As indicated in my initial statement, certain trends in American life prompted action on ethnic studies. For example, many, many years ago, particularly near the turn of the century, it was very common for America to be identified as the melting pot.

This concept of an assimulation has been brought into question because it has been felt that cultural pluralism is probably a better concept to guide the assimilation of diverse people who make up America.

The American Association of Colleges for Teacher Education established some years ago a Commission on Multicultural Education, and that move has also affected in a positive manner the development of programs throughout the country.

The legislation, first of all, sought to afford students an opportunity to learn more about their own cultural heritage and the heritage of other groups who make up our population in this country. Second, the legislation sought to reduce educational disadvantage and social divisiveness.

Third, the legislation sought to realize the gains that can result from understanding the contribution of cultural pluralism to a multi-ethnic nation.

Finally, the legislation sought to encourage cultural awareness.

The program, as it has been organized, has had appropriations which have ranged from $1,800,000 to $2,375,000. The staff of the program is composed of a chief, three program specialists, and a support staff of two individuals, plus a 15-member National Advisory Council.

With reference to the Advisory Council it should be pointed out that provision for such a council appears in the legislation. The council has been very helpful in advising the commissioner about some of the knotty problems which are associated with the organization and administration of the Ethnic Heritage program.

With reference to the program as far as grants are concerned, it should be pointed out that the legislation authorizes the commissioner to give grants to community organizations, ethnic organizations, colleges, schools, school systems, and other nonprofit organizations that might have a definite interest in ethnic heritage studies.

Each year we receive a large number of requests for grants. For example, the first year we received 1,000 applications. In subsequent years, we have received applications ranging from 600 to 800. Out of these applications, we have been able to fund each year approximately 50 grants. These grants have averaged about $37,000.

Our closing date for applications generally falls in December, and we announce the grants in June of the following year. During the first three years of operation of this program, we have awarded 140 grants, and have had in terms of appropriations nearly $6 million.

The types of grants that we have awarded follow, of course, the legislation. At first the largest number of grants that we awarded were in the area of the development of curriculum materials. About a third of the projects that we have funded have been in this area.

There have been some limitations on the curriculum development because of the fact that the grants are of 1 year duration, and it makes it very difficult to develop materials, field test this material, and then infuse it into the curriculum of the school.

Also, about a third of our grants during the first 2 years were in the field of training; that is, the in-service training of teachers who will offer instruction in the area of ethnic heritage studies.

Finally, the smallest number of grants have been in the field of dissemination; that is, we have felt there have been real limitations on what could be done in the area of dissemination because that actually we need a permanent, comprehensive dissemination mechanism.

Because of a recommendation by the National Advisory Council, last year we placed highest priority on training. We felt that we had moved pretty far with regard to the development of materials, but now we needed to focus our attention on getting teachers more attuned to the matter of teaching ethnic heritage studies.

The great emphasis in our projects over the years has been placed on projects that have multi-ethnic impact. As a matter of fact, the legislation tells us that we must have multi-ethnic impact in the proposals that we accept. Even the mono-ethnic ones must show, for example, that they may serve as a model for projects sponsored by other ethnic groups.

Some of our grants have examined such concepts as cultural pluralism. As a matter of fact, the Anti-Defamation League of B'Nai B'rith held a conference to explore the meaning and implication of cultural pluralism. Many of our grants have been concerned with the development of various kinds of materials—audio-visual materials, books, pamphlets, various kinds of curriculum modules.

Harvard University laid the foundation in a grant that was awarded to that institution for an encyclopedia of American ethnicity.

One of our very good dissemination grants was a project that was conducted by the Social Science Education Consortium, in which over 1,500 pieces of educational materials were collected to be disseminated throughout the country.

As I have indicated, the curriculum development projects have been very broad in their focus. Some have focused on drama, others on folk art. Some have resided in the area of foreign languages, local history. Procedures involved in some of these have included the use of films, tapes, diaries, and census reports.

We have during the life of this program cooperated with other agencies. For example, we developed jointly two projects with the Administration of the Aged. One of them was a project in Los Angeles conducted by the East Los Angeles Junior College.

We have a great many problems associated with the organization and administration of the ethnic heritage studies program. Of course, as I have pointed out or implied, our greatest difficulty is the fact that we are able to fund only a small number of applications we receive. Due to the unusual interest in this program, the amount of money requested each year has generally been around $30 million, while our annual appropriation has generally been $1,800,000.

Another problem that we presently face is the need for a detailed evaluation of the effectiveness of the program. In addition, we are faced with the problem of insufficient staff.

In the statement that I submitted, there are some very telling statistics with reference to the distribution of our grants over a 3-year period. I commend this to you because I think that you can see that we have, for one thing, pretty much followed the letter of the law in trying to deploy geographically the grants that we make.

This closes my presentation, Mr. Chairman.

Chairman PERKINS. Let me compliment you, Dr. Martin.

What do you believe has been your greatest accomplishment of your program?

Dr. MARTIN. Sir, would you please repeat the question?

Chairman PERKINS. What do you believe has been the greatest accomplishment of your program?

Dr. MARTIN. I would say the greatest accomplishment has been the fact that we have in a sense gotten communities, colleges, school systems really interested in the whole matter of ethnic heritage studies.

This real interest is shown in the Advisory Council meetings that we have, where we take public testimony. We invite the people to come in and present their views. Many have expressed positive interest in the program and have made good suggestions.

So, it seems to me that the mounting interest has been perhaps the greatest accomplishment.

Chairman PERKINS. Do you believe that the type of accomplishments you describe would have come about without these funds?

Dr. MARTIN. No. I think it can be definitely attributed to the program.

Chairman PERKINS. Lastly, do you believe that any of these projects have led to a divisiveness among ethnic groups?

Dr. MARTIN. No, I do not. I think there has been some concern over the distribution of our grants by some ethnic groups, but no divisiveness as far as the groups themselves are concerned.

Chairman PERKINS. I would like to ask you if you could provide for the record some examples of some of your best programs, and also some of the programs you felt were not too good, and could you also give us a breakdown of the types of organizations you have given grants to? Would you provide this information for the record to us?

Dr. MARTIN. Types of organizations, the model programs?

Chairman PERKINS. Examples of some of your best programs, and also some of the programs you felt were not so good. And then give us a breakdown of the types of organizations you have given grants to.

Dr. MARTIN. I will provide that, sir.

Chairman PERKINS. All right.

[The following information was submitted:]

Review of Four Projects

As we review the completed products of funded Ethnic Heritage Studies projects, we refer to the program criteria and the extent to which projects are able to complete their work in a one-year period.

Of the past funded Ethnic Heritage Studies projects the following could be considered among the best:

(1) Cleveland Public Schools - multi-ethnic focus, developed curriculum materials for students at elementary and secondary level as well as provided teacher training on the use of materials. A final product included an Ethnic Studies Kit with tapes, color slides, and an evaluation report on the project. Much of the materials was field-tested and there was a great deal of participation in the project by members of the Advisory Council.

(2) American Field Service, New York, N.Y. - multi-ethnic focus, (5 specific ethnic groups involved) developed curriculum materials for senior high school students. The students were involved in the ethnic community exchange portion of the program and developed a slide presentation to accompany the oral histories they compiled. The project staff worked closely with previous grantees, field-tested materials and with cooperation with the national AFS agency has done some dissemination.

Of the 140 projects completed, there do exist those which have not been as successful overall as the above mentioned. Several factors contributed to their status with the most likely being the level of funding. Other factors include insufficient staffing, length of the grant period (too short) and logistics involved in field-testing, evaluation, and dissemination.

Two examples of projects which were not exemplary include:

(1) Museum of African Art, Washington, D.C. - mono-ethnic focus. Developed curriculum materials incorporating use of slides and still life photographs. Materials geared toward secondary school students. Number of teachers involved in training program was minimal. Dissemination good.

(2) Harvard University - Proposed to develop Ethnic Encyclopedia with multi-ethnic focus. Feasibility study was completed as well as a draft catalog of ethnic groups and a preliminary bibliography. The dissemination phase of the project was contingent upon receipt of funds from other sources needed to prepare and publish the materials.

ETHNIC HERITAGE STUDIES

THE FOLLOWING IS A LISTING AND TOTALS FOR THE TYPES OF GROUPS WHICH HAVE RECEIVED SUPPORT FROM THE ETHNIC HERITAGE STUDIES PROGRAM

	1974	1975	1976	Total
Institutions of Higher Education	19	19	20	58
State Departments of Education	5	1	2	8
Local Education Agencies	5	11	8	24
Ethnic Groups and/or Organizations	2	7	7	16
Professional Education Associations	8	10	9	27
Misc. (Libraries, Museums, Radio/TV, Historical Societies etc.)	3	1	3	7
Total Grants	42	49	49	140

Chairman PERKINS. Let me compliment you for your testimony. Mr. Mottl?

Mr. MOTTL. Thank you, Mr. Chairman. Being an ethnic myself of Czech background, I notice that in 1974-75 you did have a Czech-American project, but in 1975-76 you didn't have a program there. In 1976-77 you have not.

Why hasn't that been renewed?

Dr. MARTIN. Why hasn't what, sir?

Mr. MOTTL. Dr. Martin, why hasn't the Czech-American project been renewed the last 2 years? I see in 1974-75 you had a Czech-American project.

Dr. MARTIN. All of our projects are 1-year projects, and actually cannot be renewed. If the same group presents a project a second year, it has to be a new one. Of course, you have to recognize the fact that we bring in 40 to 50 outside field readers, who review the projects, and give to us a slate of the best ones. So, you can see that the competition is quite keen.

Mr. MOTTL. Who makes the judgment as to what projects will be funded for a particular year?

Dr. MARTIN. In a particular year the field readers give to us a slate of what they call fundable projects. The only way we cut that slate is by examining the projects to try to see which ones are rated a little higher than the others, especially in a State like New York, which will give us at least 80 proposals each year.

We also try to deploy them geographically. This is in our director's review. Of course, our area is pretty large, extending all the way from the Virgin Islands to Micronesia.

Mr. MOTTL. I noticed that we had two Afro-American projects in 1974-75 and one in 1975-76 and three in 1976-77, while we only had one Czech-American through all those 3 years.

Dr. MARTIN. Also, it may be that there were not a lot of applications submitted by the Czech-American groups.

Mr. MOTTL. Does the Czech-American project include the Slovak-American?

Dr. MARTIN. Yes. As a matter of fact, the chairman of our Advisory Council, the Mayor of Cleveland, is Slovak.

Mr. MOTTL. No, he is Czech.

Dr. MARTIN. Czech, I am sorry.

Mr. MOTTL. There are so few of us. Charlie Vanik in Congress, and myself.

Dr. MARTIN. And Michael Papp also on our Advisory Council, I think he is of that extraction, too.

Mr. MOTTL. What exactly did the Czech project do, and who received the grant?

Dr. MARTIN. I don't know. I would have to look back and see. You know, there is a breakdown of all the grants in the back of this document that I gave you.

Mr. MOTTL. I see.

Dr. MARTIN. I can't identify it very quickly.

Mr. MOTTL. All right, but it is there, then.

Dr. MARTIN. Yes, it is in there.

Mr. MOTTL. All right. What can we do as an ethnic member of the Congress of the United States to enhance this program so that we can share our rich heritage in the American culture with the American people? What can be done besides giving more money?

Dr. MARTIN. Well, first and foremost is the matter of money. In addition to that, I would say that the Congress has shown a very fine interest in this program.

In that sense, I would just say more and more of the same thing—just sustain interest in the program, and if it could get a little higher priority than it now enjoys, we would be very grateful.

Mr. MOTTL. Do you think, Doctor, if we would start an ethnic caucus here in the Congress, that this might be helpful?

Dr. MARTIN. I think so, yes.

Mr. MOTTL. Several of us have been thinking along those lines.

Dr. MARTIN. Tht would be a very good thing.

Mr. MOTTL. Great, and this would probably be helpful in stressing an emphasis in this area.

Dr. MARTIN. Yes, I think so.

Mr. MOTTL. Good.

Minority counsel has some questions.

Mr. CROSS. In looking over the listing in your annual report of 1976. (See appendix 3-C.) I was struck with how many of the programs you funded would seem to fall within eligibility for funding under other programs, like Indian education, part B, title VII of bilingual education.

I wonder if you have done any study of what programs you are funding that cannot be funded under any other legislative authority?

Dr. MARTIN. Actually, what we do, for example, when there is a bilingual or Indian program is to fund those acceptable proposals which have a specific focus on ethnicity. Some of those programs are not of that sort.

Mr CROSS. I think part B of the Indian Education Act, in reading it over again last night, would be very similar to the sorts of things which the North Dakota or Oregon projects are doing, which are mentioned in your report.

Dr. MARTIN. But we have referred some of them. I don't know how many.

Mr. CROSS. Are you under the impression that some of these applicants apply to more than your program to get funding?

Dr. MARTIN. Beg pardon?

Mr. CROSS. That some of these applicants might be applying to the Indian education program, the bilingual program, and/or the ethnic studies program?

Dr. MARTIN. I don't think so. I think they are applying only to an individual program.

Mr. CROSS. I would like to ask if you would submit for the record, and ask the General Counsel's Office to do it, an examination of the projects you have funded in 1976 to determine which of them could have been funded under other legislative authority?

[The information requested follows:]

Eligible applicants are defined by the statutes under the Ethnic Heritage Program, the Indian Education Program and the Bilingual Education Act. While it is true that local educational agencies are eligible to submit projects under each of these three programs, it is not probable that the same project would receive any consideration under more than one of the programs. First of all the purposes of the three programs are significantly different. Secondly, the criteria for approval of applications are widely variant. And, thirdly, the application process itself is so different for each of the three programs that it is virtually impossible to ascertain whether any disapproved applicant reformulated their proposal and resubmitted it to one of the other programs. A check of the 1976 submissions and approved applications under the three programs did not reveal any duplications.

What is the annual budget of the Advisory Council on Ethnic Studies?

Dr. MARTIN. Around $40,000.

Mr. CROSS. Do they have a full-time staff?

Dr. MARTIN. No. This is what we call a secretarial council. We had to make do with $26,000 this year. It was cut.

Mr. CROSS. Is the council at full strength currently?

Dr. MARTIN. Yes.

Mr. CROSS. Could you submit a list of the council members for the record as well?

[The following information was submitted:]

MEMBERSHIP
NATIONAL ADVISORY COUNCIL ON
ETHNIC HERITAGE STUDIES

Mr. Anthony L. Andersen
President
H. B. Fuller Company
2400 Kasota Avenue
St. Paul, Minnesota 55108
7/28/75 -8/31/77

Dr. Karl J. R. Arndt
Professor of German
Clark University
Worcester, Massachusetts 01610
7/28/75 - 8/31/77

Dr. James A. Banks
1333 Northwest 200 Street
Seattle, Washington 98177
7/28/75 - 8/31/78

Mrs. Evelyn M. Biliraki
304 Driftwood Drive, West
Palm Harbor, Florida 33563
7/28/75 - 8/31/77

Mrs. Carmen M. Carson
7400 University Drive
St. Louis, Missouri 63130
7/28/75 - 8/31/78

Ms. Martha C. Delgado
426 - 2nd Street, #2
Ann Arbor, Michigan 48103
1/14/77 - 8/31/79

Dr. Francis X. Femminella (CHAIRMAN)
Professor, School of Education
State University of New York at Albany
Grandview Terrace (Home)
Selkirk, New York 12158
7/28/75 - 8/31/78

Mr. Alexander Haley (Author)
1801 Avenue of the Stars, Suite 640
Los Angeles, California 90067
1/14/77 - 8/31/79

Dr. Beatrice Medicine
Department of Anthropology
University of Wisconsin-
Madison, Wisconsin 53706
7/28/75 - 8/31/77

Mr. Michael Novak
Syndicated Columnist and
Professor of Religious Studies
Syracuse University
5 Snug Cove Lane (Home)
Bayville, New York 11709
1/14/77 - 8/31/79

Dr. Michael S. Pap
Director, Institute of Soviet and
East European Studies
John Carroll University
University Heights, Ohio 44118
7/28/75 - 8/31/77

Mayor Ralph Perk
Cleveland, Ohio 44114
7/28/75 - 8/31/78

Mr. Ilmar Pleer
Director
Johnston National Scouting Museum
Route 130
North Brunswick, New Jersey 08902
1/14/77 - 8/31/79

Mrs. Mildred F. Stein
2500 Virginia Avenue, N.W., Apt. 603-S
Washington, D.C. 20037
1/14/77 - 8/31/79

Dr. John B. Tsu
Director, Institute of Far Eastern Studies
Seton Hall University
South Orange, New Jersey 07079
7/28/75 - 8/31/78

7/77

COUNCIL COMMITTEES

Inter-Council Committee

John B. Tsu, Chairman
Anthony L. Andersen
Francis X. Femminella

Annual Report Committee

Carmen N. Carson, Chairman
Karl J. R. Arndt
James A. Banks

Legislative Committee

Evelyn M. Biliraki, Chairman
Ralph Park
Ilmar Pleer

Public Liaison Committee

Mildred F. Stein, Chairman
Michael Novak
Martha C. Delgado

Program Committee

Michael S. Pap, Chairman
Beatrice Medicine
Alexander Haley

Mr. CROSS. The National Institute of Education is involved in a number of projects, I believe, that might be related to the ethnic studies. Do you coordinate with them in terms of what they are funding?

Dr. MARTIN. No, we have not. Basically any grant funded by the NIE is certainly much larger than anything we would ever handle.

Mr. CROSS. I recognize that may be true. My concern is that there be coordination, so that——

Dr. MARTIN. No, we have not really coordinated.

Mr. CROSS. I would suggest that might be a fruitful avenue to pursue.

Thank you, Mr. Chairman.

Mr. MOTTL. Yes.

Doctor, some projects are for one group and some are for multi-ethnic groups. Which approach is better, and how do you administer the projects differently?

Dr. MARTIN. The legislation states specifically—one funding criterion raises the question, is the proposal multi-ethnic in impact. So actually we are more concerned with the multi-ethnic programs than the single-ethnic program.

The only way that we will fund a single ethnic program is that we might see in it a model, or it may have applicability for a multi-ethnic type of project.

Mr. MOTTL. How do you define what is a multi-ethnic group or groupings?

Dr. MARTIN. When we have more than one group in the project. I mean, for example, if it is a curriculum project, and if you are going to collect materials with reference to one of the groups from Eastern Europe, and probably from Spain, and so forth, it would have materials from more than one ethnic group.

Mr. MOTTL. What I have difficulty with, Doctor, is how do you group them together, the various nationality groups?

Dr. MARTIN. You mean how do we discover—we discover it because it is in the project. They will indicate the focus in the application, and they will say what groups are involved. Then you can tell also by the Advisory Council.

Crucial to every grant that we give is the fact that there must be an operating Advisory Council at the time that the proposal is submitted. We say that about 50 percent of the members of the Advisory Council should be associated with the group to which the program is concerned.

We can look at the composition of the Advisory Council for one thing, and tell what groups are involved.

Mr. MOTTL. Doctor, besides the additional funds for your project, what other additional constructive suggestions would you make for improvement in legislation that would be helpful to you?

Dr. MARTIN. I think for one thing, aside from a larger appropriation, I think the legislation ought to take a look—in the initial period one piece of legislation was the Center's Act. I think we still need in the legislation some provision for the development of centers, several centers throughout the country, because of the fact that we have found it very difficult to disseminate materials.

If we could have centers where ethnic materials—that would be repositories of ethnic materials that could be sent from there, we feel that would be very helpful.

Mr. MOTTL. Thank you.

Doctor, we have found in the back of the periodical you gave us for reference (see appendix 3-C) the Czech ethnic heritage studies program, one for $50,000 at the Southwest Educational Development Laboratory.

What did that entail? Can you tell us something about it? That is on page 106.

Then the other one in IWA is the general ethnic heritage and specific Czech heritage curriculum for $25,000. Can you tell us anything about those two?

Dr. MARTIN. I really cannot.

Mr. MOTTL. One is on page 102 and the other on 106.

Dr. MARTIN. I cannot tell you. I can submit for the record specific statements about them.

Mr. MOTTL. I am sorry?

Dr. MARTIN. I said I can submit something for the record.

Mr. MOTTL. All right, fine.

[The following information was submitted:]

Content and Objectives of Two Czech Projects

TEXAS

Southwest Educational Development Laboratory

Project Title: "Ethnic Heritage Studies"

Program: Czechs, Germans, and Poles in East Texas

Amount of Grant: $50,000 (a one-year project which terminated June 30, 1975)

Project Director: Preston Kronkosky

Abstract: This project was designed to help children in grades K-12 develop an appreciation for and acceptance of peoples of other cultures, and to help them understand the similarities and differences between various cultures.

Participating Ethnic Groups and Educational Organizations:

1. Barker Texas History Center
2. Catholic Women's Fraternal of Texas
3. Czech Catholic University of Texas
4. Institute of Texas Cultures
5. Slavonic Benevolent Order of the State of Texas

IOWA

Kirkwood Community College
Arts and Science Division
6301 Kirkwood Boulevard, S.W.
Cedar Rapids, Iowa 52406

Project Title: "General Ethnic Heritage and Specific Czech Heritage Curriculum Model Development"

Amount of Grant: $25,000 (a one-year project which terminated June 30, 1975)

Project Director: Florence L. Masters

Abstract: This project called for development of a curriculum model for ethnic heritage study (principally Czech-American) on through adult levels, incorporating multi sensory materials for individualized instruction.

Participating Ethnic Groups and Educational Organizations:

1. Altrusa Club
2. Council of Higher Education, Chicago, Illinois
3. CSA (Ceska Slovanska Proporajici Spolka Lodge Fraternal Organization)
4. Czechoslovak Council of America
5. Czech Heritage Foundation, Inc.
6. Kamensky Society
7. Lina County Bicentennial Commission
8. Sokol
9. Ustredni Matice Skolska-Czech School Board
10. Vestnick (Montreal Newspaper)
    Klab Novich (Toronto Newspaper)
11. Western Fraternal Life Association
12. Women for Freedom in Czechoslovakia

Mr. MOTTL. Thank you very much. Any other questions?

Doctor, does this type of funding cause divisiveness among the ethnic groups?

Dr. MARTIN. No, I don't think that.

Mr. MOTTL. All right, fine. Thank you very much.

We certainly appreicate your testimony here this morning.

Now, we have a panel of Dr. Joan Duval, Dr. Jon Fuller and Ms. Holly Knox. Would they please come forward.

I might explain to the panel—you have to accept our forgiveness here—there is going to be some confusion because we have a vote on presently, and also we are going to have a full committee meeting very shortly. So there will be some interruptions.

Dr. Joan Duval, why don't you start. Your statements will all be accepted into the record without objection. They are so accepted.

You may proceed as you deem fit.

Dr. Duval.

WOMEN'S EDUCATIONAL EQUITY

STATEMENT OF JOAN DUVAL, DIRECTOR, WOMEN'S PROGRAM STAFF, U.S. OFFICE OF EDUCATION

Dr. DUVAL. Thank you.

[Dr. Duval proceeded to read her entire prepared statement:]

Statement by
Dr. Joan E. Duval
Director
Women's Program Staff
U.S. Office of Education
Department of Health, Education, and Welfare
Before the
Subcommittee on Elementary, Secondary and Vocational Education
Committee on Education and Labor
House of Representatives
Thursday, July 14, 1977
9:30 a.m.

Dr. Duval is accompanied by:

Dr. Harry L. Phillips, Deputy Assistant Commissioner, Office of Legislation, Office of Education, HEW

Mr. Chairman and Members of the Subcommittee:

We are pleased to appear before this Subcommittee today as you review the implementation of the Women's Educational Equity Act.

Since passage of the Act in 1974, extensive planning occurred with persons experienced in programs affecting educational equity both within the Office of Education and in other parts of the Department. Capacity building, the agency's policy which applied to all of the Special Projects Programs, was deemed essential for the Women's Educational Equity Act, now usually referred to as the "WEEA," in order to begin to meet the needs identified in the law and the broad range of authorized activities. As a result, the program does not fund projects which provide direct services to individuals, or local agencies and organizations. Rather, the focus is on the development of model programs and products which are developed and tested and can be made available for use by other institutions, agencies, and individuals. Naturally, those persons who participate in the development and testing of the programs or materials do benefit directly and are a critically important part of a developmental program such as ours.

One other basic policy was established for the implementation of the program. The achievement of educational equity for women would not imply the development of a new stereotype for women, nor for men. Rather, the program would emphasize the availability of choices or options, so that educational programs could become truly equitable. Further, the

existence of diverse approaches to the achievement of educational equity for women among various racial, ethnic, regional, age, socioeconomic, and residence groups was recognized as real and treated as an important value in the program. Programs and materials to provide educational equity will not be the same for all girls and women throughout the country, and much attention must be given in all projects to a clear definition of applicable target populations for both testing and dissemination.

In developing the first regulation which was published August 11, 1975, the initial program strategy established three priorities for grant competition and several major, national activities to be performed under contract. The three grant priorities were: the development of packaged materials to address sex bias and sex discrimination in education; programs for leadership personnel in those areas cited in the legislation; and the expansion of options and support for institutional change in career and vocational preparation. These were broad, "umbrella" areas to address three areas of major need.

The contracts, likewise, addressed areas of major importance. Throughout the planning for the implementation of WEEA, perhaps the most frequently mentioned problem among those engaged in programs for educational equity was that no one could keep up with what was going on. Since 1970 information has "exploded." Further, much of the work was done by individuals or small organizations without funds, formal support,

or access to broad, established means of dissemination. Thus, much of the work was fragmented, duplicative, tested on a limited basis, and generally unavailable to others. Though a number of small clearinghouses and referral services existed, most were extremely limited in financial support and usually limited to the focus of a subject area, a constituency, or local area. Research and materials related to women's educational equity did and do exist in many established computer information systems but was not retrievable for use because of the manner of indexing. Thus, the establishment of a communications network in educational equity for women was considered by many a number one priority. An important requirement from the beginning was to be an emphasis on user services and, moreover, services for users who are not experienced researchers, but practitioners on the firing line in women's service organizations, schools, and decisionmaking positions. In fiscal year 1976 an award was made to the Educational Testing Service to survey the needs of users in a systematic way and from that survey to state what is required for the network, and finally to analyse all technical options for its design and the resulting costs to the Government. This task has been completed, and an RFP will be advertised shortly for a contract to operate the network. As soon as the Women's Educational Equity Communications Network is a reality, it will have the potential to provide enormous benefits to persons throughout the country and to Government programs like ours, which are inundated with requests for information of

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all kinds and forced to make decisions among many worthy proposals without sufficient, hard information on what is being done.

We were well aware that success in this program would depend heavily on detailed testing and evaluation while programs and materials are being developed, and then on active dissemination of the results through a wide variety of networks both within and outside the educational system. In fiscal year 1976 a contract was awarded to the American Institutes for Research to survey and evaluate available evaluation instruments needed in WEEA projects and do limited measurement development. This contract also provides for case studies of selected one-, two-, and three-year grants in a variety of types of grantees and types of content and populations involved. These case studies document and analyze the entire range of actitivities in the projects and the successes and problems in implementing WEEA program policies in individual projects. Such information will be an important source of information for future program development in educational equity for women.

Planning for dissemination has culminated in the very recent award of a dissemination contract to the Education Development Center, Inc., with a subcontract to the Center for Research on Women at Wellesley College. With the dissemination contract which will operate on a cost recovery basis, WEEA will be compounding its return on its developmental investment. Through national dissemination, these materials will be put in the hands of people who need solutions to their problems, and also

will prevent the duplication of other projects and products.

Dissemination has often been the "Waterloo" of demonstration programs. WEEA is making every effort to avoid the errors which befell other well-intended efforts and to imitate those which have been successful. Our experience with the Title IX effort which I shall describe presently makes us believe that our strategies are good and assures us that the demand is there.

A major area of emphasis for WEEA has been to provide leadership for the Office of Education in the provision of technical assistance in the implementation of Title IX. Contracts were issued for the development and dissemination of print materials to assist institutions and agencies in complying with Title IX. Two major mailings were made. The first contained eight ten items, three of which were written in both English and Spanish. These items ranged from posters in Equal Access and Equal Employment to a 124 page model for conducting the required institutional self-evaluation. Over twenty-two thousand copies were sent to superintendents of schools, presidents of colleges and universities, State Departments of Education, women's organizations, and others. These recipients, especially some State Departments of Education, reproduced about 40,000 copies for additional distribution.

Our office received requests for 15,000 more copies. For example, one school district alone asked for 700 copies of the poster. Based on the demand, the Office of Education arranged to have the materials

printed by the Government Printing Office for sale, including the six items of the second set of materials. In three months, almost 12,000 copies have been sold.

The Government Printing Office is receiving orders for these materials at approximately a three percent rate of return from their selected national mailing list (approximately 8,000,000 members). Normally, a good selling item is ordered at a rate of two percent. Already, six of the 14 publications have been reprinted, and multiple reprints of all the materials are projected. A list of the materials follows:

"Title IX: Selected Resources"

"Complying with Title IX: The First Twelve Months"

"Why Title IX?"

"Identifying Discrimination--A Review of Federal Anti-Discrimination Laws and Selected Case Examples"

"Complying with Title IX: Implementing Institutional Self-Evaluation"

"Title IX of the Education Amendments of 1972--A Summary of the Implementing Regulation"

"Equal Educational Opportunity" Poster

"Equal Employment Opportunity" Poster

"Competitive Athletics: In Search of Equal Opportunity"

"Selecting Professionals in Higher Education: A Title IX Perspective"

"A Student Guide to Title IX"

"Title IX Grievance Procedures: An Introductory Manual"

"Title IX and Physical Education: A Compliance Overview"

"Implementing Title IX: A Sample Workshop"

This year 1976 we also awarded a contract to the Chief State School Officers to conduct national and regional conferences and training workshops on Title IX and to develop additional materials as needs are identified. The first national conference was held in March, 1977, and the twenty regional workshops will be conducted between September, 1977, and June 1978. This contract will result in a training package for use by persons in a variety of institutions and agencies who have responsibilities for Title IX.

The level of demand for the Title IX materials is mirrored in the general level of interest in the program. Three years after passage of the Act, our office still receives about 100 inquiries per month, so that the program's mailing list now numbers almost 10,000 and is the fastest growing mailing list in the Office of Education.

This level of interest is translated into competition for grants. Last year, fiscal year 1976, there were about 1400 preapplications and applications for the 67 grant awards finally made. Applicants requested over $100 million, although only $4.6 million was available for grants.

In the competition this year, which is still underway, we have received over one thousand preapplications and applications, which requested again about $100 million for the only $3 million available for

new grants. There are 21 applications for non-competing continuations which are to receive about $2 million in grant funds.

Although the appropriation was increased by one million in fiscal year 1977 (from $6.2 to $7.2), as one may surmise from these figures, the program is not able to fund a large number of applications, many of which are rated highly and address areas of substantial need for the development of model programs. Of course, these figures do not include requests for general support funds to install programs for equity in school systems and elsewhere, which the program cannot contemplate with the funds available.

The 67 projects funded in fiscal year 1976 are in eleventh month of operation. The reports on early activities, whether it be the response of parents and students, the extended involvement of school district administrators, or the results of workshops and conferences, are generally very positive. Draft versions of products, such as the film for parents and teachers of preschool children being developed by the Women's Action Alliance or the supplementary reading materials being developed by the Commission for the Betterment of Women's Rights of the Commonwealth of Puerto Rico, look very good.

The short descriptions of eight projects which appear at the end of this statement indicate the variety of organizations which received grants--school districts, colleges and universities, State Departments of Education, educational organizations as well as women's organizations--

and the variety of content, of target populations, of approach, and of needs. This diversity is the very essence of WEEA, both its vitality and the source of some problems.

Awards for grants in fiscal year 1977 will be announced this September, and a second year of program operations will begin. The Women's Program Staff has learned much during this first year of administration of the program and will use the information to make improvements this year.

Most of the project directors in this program have never managed a project funded by the Federal Government and do not know where and how to locate the help needed within the large institutions in which some of them work. For those who operate in small organizations with no previous involvement with Federal funds, the task of understanding and complying with the requirements for recipients of Federal education funds is very great. Consequently, the demands by these project directors on the Office of Education staff, both in the program and the grant offices, are unlike any that we have known in administering a number of other Federal programs. We had certain assistance available last year, but will have to do more to be fully responsive to the needs of our clients.

The unique demands which occurs in the supervision of grants are a microcosm of the problems which arise in the planning and administration of the Program as a whole. The scope of the Act which mandates a focus

at each level of education (preschool, elementary and secondary, higher education, and adult education), the broad range of authorized activities (research and development; training; the development, evaluation, and dissemination of textbooks, curriculum, and other material; counseling; educational opportunties for adult women; and new programs for women in educational administration, vocational education, career education, and physical education), and the range of eligible applicants (public agencies, nonprofit organizations, and individuals)--this scope coupled with funds available ($6 to $7 million) leads to extraordinary controversy in the competition for support. Last fall we published an announcement of three priority areas which we planned to add in fiscal year 1977. We received over 700 comments characterized only by the disparate nature of the recommendations. Most commenters advocated priority for whatever needs they were currently working on. Some say to put all the money in research before funding action projects; some say put all the money into work with young children so that help will not be needed later; some say to put the money into programs for unemployed women; some say focus efforts on women with special needs--the handicapped, minority and rural populations, bilingual. Any attempt to establish priorities within the activities authorized in the law meets with concern. As a result of the public comment, the three proposed priorities were eliminated, as well as the three from the previous year, and the regulation was amended with no priorities for the current year

and a mechanism for an annual review and decision by the Commissioner.

Another problem which compounds the preceding one is a general misunderstanding of the law in the belief that funds are provided for "anything to help women." This would include all women's issues, such as day care, credit opportunities, equal pay. As a result we continue to be seen as a source of funds for reading programs for adults, for scholarships, tennis courts, cultural education, building self-confidence, or training for political campaigns. Following publication of the proposed amendment to the regulation, our program conducted Hearings this spring in each of the ten HEW regions. This concern was expressed as: How does a law passed to give money to women help if only a few, great proposals can be funded? Our program has a major task in public relations to increase understanding of what we can accomplish and what we cannot.

Even among those persons who do clearly separate educational equity for women from equity for women in many other areas, there is no easy agreement about the scope of educational equity for women though the definition in the regulation has been almost unanimously praised. Television is a good example of just such an area. Everyone agrees that television has major impact, particularly on children. Focusing on the materials children use in schools and excluding the "education" the child receives daily on TV seems quixotic to many. Our position has been that WEEA cannot "clean up" television, but can, or should WEEA,

play some role in this area?

A second example is professional education. How much can WEEA do in law, medicine, management, engineering, or science? "Education" is everywhere--in factories, in communities, on television, in hospitals. Where do we stop, or rather, how far can WEEA go?

Our most dedicated supporters similarly do not agree about whether WEEA should emphasize work inside the educational system or outside. Currently, since we are looking for institutional and systemic change, we say both. The issue is obviously more complex. The program has been criticized for funding projects at institutions which have a very poor record on educational equity. It is a legitimate source of concern to those who worked so hard for this law to see WEEA funds go to such institutions. Not to have such institutions in, however, would mean that many supporters of educational equity for women who have elected to remain within traditional institutions and work within the system would be excluded, as well as the program's efforts to work within systems.

The program has likewise been criticized for making half its awards to institutions of higher education. Over half the applications come from such institititions, however. Although we have increased outreach efforts to nontraditional applicants, it is probably true that proposals from advocates for educational equity for women who work in institutions of higher education will always outnumber those from such advocates in other types of organizations. And this is true primarily because the

program does not distribute funds for local support, the kind of assistance which service organizations would undoubtedly apply for immediately.

We have taken a step to meet this need for assistance among inexperienced applicants and shall award a contract this fall to help demystify the process. The contractor will develop training materials and conduct workshops throughout the country to assist in project and proposal development.

This program has also been criticized for placing too much emphasis on "products," instead of "making things happen." There is an emphasis on products, but not to the exclusion of creating change. Our experience has been that many good things have happened in Federal education projects, but too little attention has been given--and given from the very beginning of projects in the form of energy and money--to what happened and how, so that benefits too often remain only as long as individuals and their memories remain. We are making every effort to avoid this by requiring that model programs document, analyze, and print the results, both failures and successes. We have no guarantee of success where others have failed, but we are compelled to take every step to administer these funds, which, as the law states, are to provide educational equity for women in the United States in a very careful way.

We have no illusions that we shall ever be able to document for you in perfect cause and effect relationships, project by project, how WEEA funds have "produced equity."

This program does not exist in a vacuum. The impact of Title IX alone is a variable which can never be discounted. More important still, the movement to achieve educational equity for women is a part of a greater movement to eliminate all discrimination based on factors which are accidents of birth. Complex social change is occurring in every place where WEEA projects exist. When products from the current WEEA model programs are disseminated, however, we expect to have data similar to that from the Title IX materials--documentation of need, demand, distribution, sales. We expect that evaluations of the use of WEEA materials will show effectiveness, whether acquisition of information and skills or change in attitudes and behavior. Some projects will document formal changes in institutional policies, and some will institutionalize mechanisms in the community among parents or students to monitor change.

WEEA is the sole Federal program focused on this issue, and WEEA funds are critical to the achievement of educational equity for women. We are pleased to be present today to report on the progress to date and to show the kinds of indicators that will be developed to document the impact of the program.

COMMISSION FOR THE BETTERMENT OF WOMEN'S RIGHTS
OF THE COMMONWEALTH OF PUERTO RICO
"AWARENESS OF STEREOTYPING IN THE SPANISH READING SERIES"
$104,200

Sex discrimination in education has been the object of considerable attention and activity in Puerto Rico. The Constitution of the Commonwealth of Puerto Rico prohibits discrimination on the basis of sex, but discrimination against women in the educational system is a reality on the Island, as the Puerto Rican Civil Rights Commission documented in its study, "Equal Rights and Opportunities of the Puerto Rican Woman."

The main objective of the project has been to develop training modules in English and Spanish that will be used on a target group of teachers, student teachers, and educational administrators. As the director of the project, Dr. Isabel Pico Hernandez recently stated: "These modules will make the target groups aware of the sex role stereotypes that are present in the Spanish reading series used in all public schools, and most private schools in Puerto Rico, and in many bilingual programs in the United States."

UNIVERSITY COUNCIL FOR EDUCATIONAL ADMINISTRATION (OHIO)
"EDUCATIONAL LEADERSHIP PERSONNEL MULTI-MEDIA INSTRUCTIONAL MODULES"
$127,740

The project will produce materials to train administrators, policy makers, professors, graduate students, and administrators-in-training within the educational system regarding inequities in educational opportunity which can be eliminated. Five multi-media instructional modules will be developed and validated at participating universities to meet the special training needs of the five target groups. They are:

Boston University--Women Preparing for Educational Leadership Positions;

University of Iowa--Educational Administration Trainees;

Georgia State University--Professors of Educational Administration;

Ohio State University--Policy Makers and Decision Makers in K-12 Systems;

Indiana University--Policy Makers and Decision Makers in Post-secondary Systems;

A sixth module will be a synthesis of those components of the five modules that are the most effective and have the greatest impact on the participants.

DARTMOUTH COLLEGE
"OPTIONS"
$144,943

The options project will develop a model career development program for non-college bound rural high school women. It is designed to attack sex stereotyping, especially self-stereotyping, among this group of young women, and to equip them to plan their own futures with flexibility, realism, and resourcefulness.

The program will be developed in four parts and will be suitable for infusion into home economics or social science high school courses. It is designed to be useful to young rural women across the country. In addition to the northern New England area where it was initially tested, it will be validated in the following specific geographical areas: the midwest, southwest, and northwest.

Specifically the "Options" Project will produce (1) a large body of data, (2) a rigorously tested curriculum, and (3) information on developing adaptation and training materials independent of outside professional aid.

The large body of data will be on the career development needs of rural women in several parts of the country--information which does not presently exist.

The curriculum will be designed to meet these needs and will provide information, skills, and some form of confrontation with reality. Few materials in any field will have been so rigorously evaluated. Each of the four units in the curriculum will have a different emphasis. Unit I will enable the student to have a clear sense of the difficulties a woman in her area faces and will provide motivation to begin developing skills to help cope with them. Unit II is an individualized, activity-package which allows each student to work in the skills needed most to

address the problems defined in the first unit. Unit III is an experience-simulation unit, intended to teach young women to project their lives twenty years ahead and to simulate their responses to problems which might stand in the way of self-realization. In Unit III, the class makes the link between simulation and reality. This unit builds on the skills, information, and self-awareness established in the earlier units and provides students with valuable problem-solving techniques.

TREDYFFRIN/EASTTOWN SCHOOL DISTRICT (PENNSYLVANIA)
"BECOMING SEX BLIND"
$114,567

This is a two year project for the development and validation of a model process by which school districts can eliminate sexism within their organization. The product is designed as a comprehensive package of sex fair program materials. It will provide a systematic approach to eliminate sexism in the various aspects of institutional structure, policies, and operation. Forty-two school districts in Pennsylvania will be involved in the validation design.

STATE DEPARTMENT OF EDUCATION (MASSACHUSETTS)
"STUDENT COMMITMENT TO EDUCATIONAL EQUITY"
$125,000

The project focus is on systemic and institutional change by developing and testing several models of student leadership and participation in the monitoring of sex discrimination policies, practices, and materials in secondary schools in Massachusetts. Emphasis is placed on leadership training for youth, citizen participation, and student/teacher/parent collaboration in eliminating sexist school practices.

Directly involved are approximately 800 Student Advisory Council students who attend public, private, parochial, and vocational high schools, approximately 25 students who staff the regional Student Service Centers, and eventually, over 1,700 secondary school students who are, by law, advisors to their school committees statewide.

The major products to be developed from this project for dissemination are:

1. A Workshop Manual--This manual will contain a description of model workshop designs including: (1) workshops for training students in identifying and understanding the effects of sex discrimination in schools; (2) workshops for training adults in schools in how to collaborate with students in Title IX implementation; and (3) leadership training workshops for program monitoring and revision related to Title IX implementation.

2. Student Leadership Handbook--A guide for students on how to evaluate and monitor Title IX in their schools and, accordingly, implement change in curriculum, educational materials, guidance, and policy in their schools. A great deal of student input will be solicited in preparing this handboook, so that it will be a practical, understandable "how-to" guide for students.

3. Student Service Center Handbook--A description of the establishment and operation of the Student Service Center as a model for (1) effective collection and dissemination of information on Title IX and its ramifications in schools, and (2) helping students and other citizens with problems or concerns related to equal educational opportunity for males and females.

UNIVERSITY OF OREGON
"A MODEL FOR SEX EQUITY IN PUBLIC SCHOOL ADMINISTRATION"
$126,040

The project's objective is to implement a model for achieving sex equity in Oregon's public school management that can be replicated in other State systems of education. Structured to achieve six basic goals, the model will attempt to change attitudes and the content of preparation which may lead to changes in individuals, administrative and policy making groups, and institutions within the State.

New courses will be established and others restructured at two major State universities to include content on sex role socialization and stereotyping. Through collaboration with the State Department of Education, it is expected that these will become a requirement for teacher certification.

NEW MEXICO COMMISSION ON THE STATUS OF WOMEN
"CAREER EDUCATION CURRICULUM FOR MATURE WOMEN IN THE FOUR CORNERS AREA"
$84,820

This project developed a model to assist entry or reentry of mature women (age 25-60) into the work force by providing a course on employment awareness. An instructor's manual in English and Spanish was developed which after being tested can be used nationwide to initiate such a course. Short training sessions were provided for instructors on how to use the manual. County extension networks will be utilized over a four State area (New Mexico, Utah, Arizona and Colorado) which offer an opportunity for adopting and testing the manual among diverse cultures and between rural and urban women.

Dr. Vera Norwood, Director of the Four Corners Project, said in a TV program in Albuquerque where she appeared last June that:

> "This Instructor's Manual has been provided during training sessions to between 600 and 700 instructors in the four State region. These instructors include many people working in nontraditional, informal educational settings. For example, we have trained cooperative extension home economists working with rural homemakers, members of women's organizations such as the North American Indian Association; the Carmelitas; the American Association of University Women and the YWCA. We also trained job counselors working with groups such as the Employment Security Commission and Vocational Rehabilitation Offices in each State. These instructors are now offering courses for women seeking to reenter the job market. Today we had workshops offered in all the four State region aimed at women living in small rural communities, women in Indian pueblos in New Mexico; black, hispanic and handicapped women living in Denver."
>
> "Although the WEEAP funds are aimed at ending sex stereotyping which has had direct impact on women, our project has had the participation of men both as instructors and as students in the Job Finding Workshops. The product then has a use beyond the direct population for which it was designed.

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UNIVERSITY OF TENNESSEE
"APPALACHIAN CENTER FOR EDUCATIONAL EQUITY"
$116,200

This project will develop, implement, and validate an exemplary sex fair leadership program in the fields of vocational and personal counseling, career education, and educational psychology. This leadership program will produce outstanding female and male leaders capable of assuming faculty positions in institutions of higher education as well as positions in the field of counseling, such as elementary and secondary school guidance counselors, college counselors, vocational counselors, and career educators. The end result of this project will be the restructuring of the content of preparation in these fields and the development of materials which will be adaptable to other institutions of higher learning and available at a minimal cost.

The products of this exemplary leadership program will be in the form of course modules, course components, and counseling videotapes. These will clearly articulate the new courses, course components, field experiences, and counseling techniques and processes which will need to be integrated into the existing curriculum of the department. In addition, there will be a data-based evaluation instrument and a handbook. The data-based evaluation instrument will aid in the identification and remediation of sexist components of the curriculum and of the institutional policies, practices, values, and attitudes which are part of the department. The handbook will aid in the effective implementation of the model program. The handbook will spell out the politics involved in a bureaucratic institution, the principles of organization that are at work and the strategies that aid in promoting change. The handbook will also explain the phases necessary for implementing the exemplary program. One special product of this project is a module on Appalachian women.

I thank you for the opportunity to deliver this paper.
Mr. MOTTL. Dr. Fuller?
[The statement of Dr. Fuller follows:]

national advisory council on women's educational programs

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SUMMARY

OF

NATIONAL ADVISORY COUNCIL ON WOMEN'S EDUCATIONAL PROGRAMS

STATEMENT
FOR THE HOUSE SUBCOMMITTEE
ELEMENTARY SECONDARY VOCATIONAL EDUCATION

OVERSIGHT HEARINGS ON THE
WOMEN'S EDUCATIONAL EQUITY ACT

PRESENTED BY
JON FULLER
JULY 14, 1977

The National Advisory Council on Women's Educational Programs recognizes the many important accomplishments of the Women's Educational Equity Act during its relatively short existence but emphasizes that the need for assistance in combatting the sexism which pervades almost every aspect of American education is much greater than can be met by such a small program.

The Council recommends extension of the Women's Educational Equity Act (WEEA) as a separate and expanded authority to provide assistance in achieving voluntary Title IX compliance comparable to similar Federal initiatives addressing the education problems of the handicapped, racial, ethnic, and non-english speaking minorities, and other disadvantaged groups.

The Council notes that the unique nature of sex discrimination and its dramatic detrimental impact on the nation requires far greater attention than that available under WEEA, Title IV of the Civil Rights Act, or other existing Federal legislation.

Anne Dale Peters, Pittsburgh, PA, chair
Marguerite Selden, Washington, D.C., vice chair

Joy R. Simonson, executive director

Katherine Burgum, Fargo, ND
Anne Campbell, Lincoln, NB
Joanne Carlson, Eugene, OR

Marjorie Bell Chambers, Denver, CO
Agnes I. Chan, San Francisco, CA
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Elizabeth Z. Fryer, Brentwood, TN
Jon Fuller, Ann Arbor, MI

Thera C. Johnson, Ogden, UT
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Bernice Sandler, Silver Spring, MD
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Gerald E. Weaver, Columbus, MS

EX-OFFICIO MEMBERS
Commissioner of Civil Rights, Director, Women's Bureau, U.S. Department of Labor, Director, Women's Action Program, U.S. Department of Health, Education, Welfare

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Statement of

The National Advisory Council on
Women's Educational Programs

On

The Women's Educational Equity Act

Presented By Council Member Jon Fuller

Before The

House of Representatives
Subcommittee on Elementary, Secondary
And Vocational Education

July 14, 1977

Mr. Chairman, it is a pleasure to appear before this Subcommittee as a member of the National Advisory Council on Women's Educational Programs. The Chair of the Council, Ms. Mary Beth Peters, regrets that it was not possible for her to come here from Colorado to participate in this hearing. I have been a member of the Council from its inception in 1975 and was honored to be re-appointed to a second term.

The Advisory Council, as you know, was established by Congress under the Women's Educational Equity Act. It consists of 17 public members appointed by the President and confirmed by the Senate, and three ex-officio members: the Chairman of the Commission on Civil Rights, the Director of the Women's Bureau, U.S. Department of Labor, and the Director of the Women's Action Program at Health, Education and Welfare. Congress directed the Council to advise the Commissioner of Educ tion with respect to general policy matters relating to

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EX-OFFICIO MEMBERS
U.S. Commission on Civil Rights; Director, Women's Bureau, U.S. Department of Labor; Director, Women's Action Program, U.S. Department of Health, Education and Welfare

administration of the Act, to make recommendations concerning allocation of funds under the Act and to develop criteria for the establishment of program priorities. In addition to these functions, which relate directly to the operation of the WEEA, the Council was also given a broad mandate to make recommendations to the Assistant Secretary for Education on matters concerning educational equity for women. Thus we have acquired both an intimate acquaintance with the administration of the Act and a broader perspective against which to assess its performance.

With passage of Title IX of the Education Amendments of 1972, the Congress clearly mandated a national policy to end sex discrimination in education by prohibiting many of the overt forms of discrimination. But the problems of sex discrimination, sex bias, and sex stereotyping go far beyond official policies and practices. Today, five years after the enactment of Title IX, American women and girls face a pattern of discrimination so pervasive, so subtly enmeshed in the fabric of society, that the problem itself continues to be largely unrecognized, even by those most deeply affected by it.

The magnitude of the problem which Title IX addresses may be almost without precedent. The nature of this discrimination which affects every American, male and female, is such that it breeds and reinforces itself in the absence of education and positive models to the contrary.

Our schools, like the rest of society, are caught in an almost invisible web of outdated attitudes, stereotypes and assumptions about women. It has been documented that:

> From early childhood education through graduate education, females and males are exposed to sex discrimination and sex role stereotyping in the curriculum, in extracurricular programs, in regulations and policies governing student life, in physical facilities, in the behavior of education personnel, and in the structure and organization of education institutions.[1/]

1/ Martha Matthews and Shirley Nelson, Why Title IX?, Department of Health, Education and Welfare, U.S. Office of Education, 1976.

Clearly the past five years have shown that prohibiting sex discrimination in education alone will not end it. The need to establish an understanding of sexism, and credibility for Title IX with the American public, has never been greater. The law has suffered from public and private misunderstanding, mis-interpretation, and trivialization. In the effort to achieve technical compliance with the law, the meaning of "educational equity" has often been mangled and misperceived by Federal officials, college and school administrators, employees, students, and the press. It is no wonder that the general public is at best confused, and at worst angry about the seemingly illogical Federal requirements.

With the Women's Educational Equity Act, introduced in 1973 as the "logical complement to Title IX,"[2/] Congress recognized that the aims of such civil rights legislation as Title IX could not be realized if large segments of the population remained ignorant of both the extent and impact of sexism in education, and of the means to overcome it.

Title IX prohibits sex discrimination in employment and educational programs and activities at educational institutions which benefit from Federal financial assistance. WEEA is the legislative vehicle specifically addressing both the need for compliance related assistance to the whole range of institutions and individuals affected by the ban on sex discrimination, and the broader question of what constitutes educational equity, and how it can be achieved. The passage of WEEA as part of the Special Projects Act of 1974 was recognition that such social change would require the development of programs and methodologies to address the problem of sexism in a variety of settings and at every educational level.

The Women's Educational Equity Act gave both the Office of Education's Program Staff and the National Advisory Council on Women's Educational Programs broad mandates to address these questions and where possible provide the answers. And at that, as the testimony of the Office of Education and our prepared statement indicate, the Act has enabled us to make an admirable beginning.

2/ Statement of Senator Walter Mondale, Congressional Record, October 2, 1973, p. S18441

In carrying out its responsibilities, the Advisory Council undertook an evaluation of the first year's operation by the Women's Program Staff of OE as it developed the WEEA program regulation, solicited applications for grants and contracts, selected grantees and contractors, and monitored their activities. We have shared with the Commissioner and the Women's Program Staff the findings and recommendations developed in the course of this evaluation. A number of our suggestions have already been implemented and are being used in the course of the second year of the program. Advisory Council members have visited some of the funded project sites, and have been in contact with the directors of many other projects through attendance at conferences held for the WEEA project directors. It addition, our evaluation contractor visited a number of carefully selected projects and reported on them to us. On the basis of this information, the Council is convinced that a wide variety of products and experiences will result from these projects which will make significant contributions toward educational equity for women and girls.

However, the projects which were funded in FY 1976 and those which will be funded for the present fiscal year, no matter how successful, can only go a short distance toward meeting this essential goal as set forth by Congress. The number of applications for grants and the amount of money they represent can be taken as one indication of the size of the need in the country. Last year, the first year of grant competition, preapplications and small grant requests totaled some $105 million, almost 18 times the amount available for distribution. This year, 335 applications for large grants were received in comparison to 197 a year ago. It is expected that only about 10% of these applications can be funded from the available money. Similarly, 20% small grant applications (those limited to less than $15,000) were received this year and only about 25 will actually receive grants. Fortunately, the basic thrust of the program, as it has been expressed through the regulations, calls for successful proposals to be of a nature that can be replicated. Therefore we feel certain that as the dissemination of these projects proceeds, their benefits will be felt in all corners of the United States.

Unfortunately, these activities have only scratched the surface of the problem. The past two years experience has shown that the need for such programs in our educational and community institutions is much greater than can be met under the Act's present structure and limited resources. The problems of sexism in education require a program of extended duration, increased appropriations, and broadened scope. The Congressional precedents for this increased assistance are legion. In the past, Congress has legislated a number of major programs designed to address the problems of achieving education equity for other disadvantaged groups.

Sex discrimination in this country has created a disadvantaged majority. Yet the disparities between the number of programs and the extent of fiscal support devoted to overcoming other forms of discrimination and those available to address that which affects, at the minimum, 53 percent of the population are striking, and even disturbing.

As you know, the Women's Educational Equity Act's appropriations were $6.27 million in 1976 and $7.27 million in 1977. For the same two years, for example, Congress appropriated $215 million (1976) and $240 million (1977) to help school districts overcome the problems of racial discrimination under the Emergency School Aid Act; $97.8 million (1976) and $115.2 million (1977) under Title VII of the Elementary and Secondary Education Act to provide bilingual education programs; and $16 million in 1976 under the Indian Education Act for special programs for Indian children. I list these examples only to illustrate the tremendous disparity between similar Federal education programs intended to address the problems of achieving educational equity for the poor and racial and ethnic minorities, and the level of support available for programs to address the problems faced by more than half this nation's population. It is especially important to note that available data indicate that at least half of the beneficiaries of each of these other programs are doubly disadvantaged because they are female.

Throughout its existence, the National Advisory Council on Women's Educational Programs has called attention to this invidious problem of dual and triple discrimi-

nation suffered by women and girls who are members of ethnic or racial minority groups and/or handicapped. Thus, we in no way wish to detract from the importance of the problem addressed by the programs mentioned above, but rather to suggest that they have failed to directly address sex discrimination. It has been found, for example, that education programs for the handicapped use less demanding definitions of "success" for their women clients than for the men they enroll. A successful male graduate is one who is employed and economically self-supporting. For a woman, by contrast, the program is deemed to have succeeded if, after completing it, she is self-supporting, is supported by a husband, or does housekeeping in exchange for support by her parents or others.[3/] The Council's research has identified serious problems of sex bias and sex stereotyping in other education programs supported by Federal formula grants. Therefore, we believe that in order for the needs of all disadvantaged groups to be met, the problems of sexism in education must be adequately addressed as well.

(A summary comparison of selected Federal programs directed at expanding educational opportunity has been appended to our prepared statement for your information.)

It is also important that the unique nature of sex discrimination be recognized by all the legislation attempting to remedy it. As already noted, sex discrimination, bias, and stereotyping occur in even fully "integrated" or coeducational facilities, in employment practices, the treatment of students, and curriculum. In 1972, Title IV of the Civil Rights Act, which provides assistance related to desegregation of public elementary and secondary schools on the basis of race, color, religion, national origin, and language deficiencies, was amended to include desegregation by sex. But it was passage of WEEA that first acknowledged that there are limits to the parallels that can be made between race and sex based discrimination. Although in many ways similar and frequently overlapping, the problems of women are not identical to those of other minorities and require new solutions. The development and implementation of these

3/ Patricia Thomas Cegelka, "Sex Role Stereotyping in Special Education: A Look at Secondary Work Study Programs," Exceptional Children, Vol. 42, No. 6 (March, 1976), pp. 323-328.

solutions will require time and money for research, technical assistance programs and products, training, oversight and related activities for an extended period of time.

The Women's Educational Equity Act Program has been carefully administered to make the most cost-beneficial use of its allocation under the Special Projects Act appropriation. But no amount of focusing on capacity building through the development of model programs and products to meet the needs of institutions on a national basis can disguise the fact that the total funds available simply have not begun to meet the need for assistance in achieving educational equity for both sexes. This was tacitly recognized by Congress and the White House in the appropriation process for the Special Projects Act of the past two years when, for FY 1977, Congress increased the appropriation for WEEA by $1 million above the percentage set-aside without formally amending the Special Projects Act formula; and again when, in FY 1978, the administration recommended level funding or cuts for many education programs but HEW officials testified of WEEA that "it is clear that they cannot accomplish major things without an increase."

The Women's Educational Equity Act was the first piece of Federal legislation enacted with the exclusive purpose of improving educational opportunities for women and girls. It is clear that while the initial results of the Act's existence may already be visible in some of the nation's schools and colleges, in HEW's own Education Division, and even in the mainstreaming efforts of this very Congressional Committee, the unmet need for research and demonstration projects, information dissemination, materials and curriculum development, pre-service and in-service training and other projects designed to promote educational equity for both sexes far outstrips the relatively miniscule funding currently earmarked for these or related purposes in appropriations for WEEA, the Civil Rights Act, the Vocational Education Act, and the National Institute of Education.

It is the Advisory Council's firm belief that in order for WEEA to adequately

fulfill its legislative purpose it must be freed from both the restrictive set-aside formula of the Special Projects Act and the uncertainty of the Commissioner's discretionary funding. As you know, under the existing formula, which guarantees WEEA an appropriation of 15 percent of the total annual Special Project Act's appropriation, the consolidated Act would have to be funded for its full $200 million authorization in order for WEEA to be funded at the $30 million level. Yet funding of WEEA at such an increased level within the immediate future will clearly be necessary to support the much needed research, materials development, and dissemination projects aimed at expanding educational equity.

Therefore, if indeed the Special Projects Act was intended to provide "an incubator period" of three years for "programs to respond to newly perceived needs" to become established and prove their value, then the Women's Educational Equity Act is ready now not only to be extended but to be released from the set-aside structure and fashioned not into a discretionary program but into an expanded categorical program with an authorization more nearly proportional to the need for assistance in this area.

Believing that this Committee has an interest in the functioning of the National Advisory Council which it established as part of the Women's Educational Equity Act, I would like to describe briefly the major thrusts of our work to date. For the record, may I submit the most recent annual report, covering Council activities during 1976. This will indicate to you the range of concerns which we have taken up. The Council early recognized that although the special programs and appropriations for women, such as the WEEA, are absolutely vital to break new ground, to develop materials, to evolve techniques and strategies for overcoming sex bias, sex stereotyping and all forms of sex discrimination in education, the pervasive nature and mammoth size of these problems require that the battle against them be waged on every front. Therefore, we have put a major emphasis on "mainstreaming" or attempting to infuse into all aspects of Federally assisted education programs the awareness of and concern about sex bias.

The Council is in the process of preparing a series of reports concerning various aspects of the Education Division of the Department of Health, Education and Welfare. These reports will update and go well beyond the report prepared in 1972 by an Office of Education task force concerned with sex discrimination in OE programs. The first of this series, which will be transmitted to you in a few weeks, highlights the very limited employment of women in management and policy making positions within the Education Division. The next report covers the impact on girls and women of the disbursement of Education Division program funds, both formula and discretionary. We will also be examining the communications, internal and external, funded by the Education Division in order to ascertain how sex-fair they are. We will be reporting on data collection and its implications for sex equity and we will also issue a report concerning major education legislation and implementing regulations. We hope these reports will prove useful to this Committee as well as to the officials within HEW who have expressed great concern about equality of opportunity and of access for all groups.

In addition to these reports on HEW activities as they affect women, the Council has given particular attention to certain groups and programs. We recognized that the rural population of women and girls has received much less attention, in terms of educational and other needs, than has the urban-suburban population. Therefore, we held a series of regional consultations in four widely diverse rural areas so that we could meet with and hear from local educators, community activists, and, above all, rural women themselves. The outcome of this effort was this report entitled "Educational Needs of Rural Women and Girls," which we submit for your use. This report has received considerable attention in all parts of the country. We are encouraged by the positive response from organizations and women and are hopeful that it will stimulate increased attention to long-neglected needs.

We appreciate the fact that in FY 1976 the WEEA funded a few projects targeted specifically for the benefit of rural communities. We look forward to reviewing the products of these projects and hope that additional ones will be funded in the

current year's cycle. The Council is convinced that to be successful, these projects, like others aimed at the rural population, must be planned, developed, and implemented in close cooperation with rural women themselves. The time (if it ever existed) for imposing ideas or projects on an area is long past.

The National Advisory Council has, from its inception, considered vocational education to be a key area. We were delighted when the Congress enacted Title II of the Education Amendments of 1976 with its strong, clear language intended to overcome the sex stereotyping which has long characterized vocational education. Recognizing the crucial importance of program regulations, the Council has participated in each stage of this regulation-writing process. As a citizen's advisory group, the Council thought it useful to share with interested women's organizations around the country background information concerning the Act, the issues, and the hearings and other avenues of public input. We have analyzed the public comments received on some of the issues of special concern to women and are watching closely to determine how responsive the regulations will be when issued.

Recognizing the enormous potential of career education for widening occupational horizons for girls and women, the Council has been following this legislation with close attention. You may recall that our former Chair, Bernice Sandler, testified before this Committee in March on H.R. 7. We not only appreciated your cordial reception of her, but, above all, the fact that the Committee, and subsequently the House, approved a version of H.R. 7 which emphasizes the need to eliminate sex bias and sex stereotyping from the Federally assisted career education program. Subsequently, we presented testimony before the Senate Committee and are hopeful that the legislation will be enacted with language similar to that of the House version.

The Women's Educational Equity Act directed the Commissioner to prepare and submit to the Council a "national comprehensive review of sex discrimination in education." This was prepared in the form of three reports, covering professional employment, access to postsecondary education, and guidance and counseling. The Council

devoted much work to reviewing and analyzing these reports. In accordance with the statute, we have sent to the Commissioner a lengthy list of recommendations based on these reports. Our recommendations are directed not only to Federal action, but include suggestions for State and local moves and actions by institutions of higher education, professional organizations, publishers, and individual researchers and practitioners. Were a major portion of our recommendations to be carried out, we are convinced that society would be far along toward the goal of educational equity for girls and women. I would also like to submit the list of recommendations, as we sent them to the Commissioner in March of 1977, for the record at this time.

The Council tries to keep a watchful eye on a variety of proposed regulations, requests for proposals, and other activites of the Education Division in order to suggest that attention to sex bias and the needs of women is included wherever appropriate. Overt or deliberate discrimination on the basis of sex is decreasing. However, inadvertent or "Oh, I didn't think of that" forms of sex bias are still pervasive.

The Office of Education, and subsequently the Secretary of Health, Education and Welfare, in preparing the Annual Comprehensive Review of Advisory Committees (with special emphasis this year on eliminating or merging of advisory councils, as directed by President Carter), recommended termination or merger of several education councils. We are gratified that they proposed retention of two, one of which was the National Advisory Council on Women's Educational Programs. The Commissioner's memorandum to the Secretary, in which he concurred, had the following to say about the Council:

> I propose that the National Advisory Council on Women's Educational Programs be continued unchanged. Without question, this is one of the most productive and far-reaching councils in OE. The Council has a nearly unlimited charge, to advise us on the specifics of the Women's Educational Equity Act and in general on all matters affecting the educational equity of women. Moreover, it is unique in speaking for over half the population of our country. On the basis of its exceptional nature, it merits an exemption from the Bureau-related structure I have heretofore recommended.

The attached record documents that the Council has more than fulfilled its mandated functions, providing national leadership in an area of great concern. In every area the Council has entered -- regulations, legislation, policy issues, surveys, and so on -- it has made its impact upon the policy-makers in a profound manner. As the evaluation concludes, were this Council not in existence, it ought to be. In accordance with the established criteria I recommend the continuation of the National Advisory Council on Women's Educational Programs.

In conclusion, the National Advisory Council on Women's Educational Programs both recognizes the many accomplishments of this Act and supports increased Federal leadership in the ongoing battle for educational equity for women and girls. Given the thoroughness with which this Committee over the past five years has studied the problem of sexism in education, we hope that the members share our view that the Women's Educational Equity Act is a successful and essential program due for major expansion. On behalf of the Council, we would like to thank you for inviting us to participate in this hearing, and we ask that you contact us if we can be of further assistance to your consideration of our recommendations.

SUMMARY COMPARISON OF SELECTED FEDERAL PROGRAMS
AIMED AT
ACHIEVING EDUCATIONAL EQUITY

ACT	FISCAL YEAR	TOTAL AUTHORIZATION (IN MILLIONS)	TOTAL APPROPRIATION (IN MILLIONS)
Special Projects Act: Women's Educational Equity Act Purpose: To support development and implementation of programs contributing to women's educational equity by grants for activities such as program development, evaluation, dissemination, guidance, counseling, and training.	1975	$30.0	0
	1976	$30.0	$6.2
	1977	$30.0	$7.2
Elementary and Secondary Education Act Title I: Education of Disadvantaged Children Purpose: To provide financial assistance to Local Educational Agencies serving areas with high concentrations of low income children to meet special educational needs of educationally deprived children.	1974	$3.5 billion	$1.6 billion
	1975	$3.5 billion	$1.5 billion
	1976	$3.9 billion	$1.9 billion
	1977	$4.4 billion	$1.7 billion
Elementary and Secondary Education Act, Title I Title I: Migratory Children Purpose: Provide grants to Local Educational Agencies, State Educational Agencies, programs, and projects to meet special educational needs of migratory children and to establish interstate coordination of migrant education programs, (training, implementation of programs, technical assistance).	1974	$78.3	$78.3
	1975	$91.9	$91.9
	1976	$97.0	$97.0
	1977	$130.9	$130.9
Elementary and Secondary Education Act Title I: Neglected or Delinquent Children Purpose: Provide grants to State Educational Agencies to improve educational programs for institutionalized delinquent children.	1974	$25.4	$25.4
	1975	$26.8	$26.8
	1976	$27.4	$27.4
	1977	$28.8	$28.8
Elementary and Secondary Education Act Title VII: Bilingual Education Purpose: To provide discretionary grants to Local Educational Agencies for demonstration projects to meet special needs of low income children (including research, pilot projects, development & dissemination of instructional materials & training).	1974	$135.0	$58.3
	1975	$135.0	$85.0
	1976	$140.0	$91.0
	1977	$150.0	$115.7
Indian Education Act, Part B Purpose: To provide exemplary and demonstration programs for improving educational opportunities for Indian children, (planning, pilot, demonstration programs, training, dissemination of information & technical assistance).	1974	$35.0	$12.0
	1975	$35.0	$12.0
	1976	$35.0	$13.5
	1977	$35.0	$13.0

(Continued on reverse side)

Emergency School Aid Act Purpose: 1. To meet special needs incident to eliminating minority group segregation & discrimination in elementary & secondary schools. 2. To encourage voluntary elimination or prevention of minority group isolation in elementary and secondary schools. 3. To aid minority group children in overcoming educational disadvantages	1974	$1 billion from FY 1974 to FY 1976	$234.0
	1975		$215.0
	1976		$215.0
	1977	$1 billion from FY 1976 to FY 1979	$242.0
Education of the Handicapped Act Purpose: To encourage development and application of exemplary evaluation and educational programming for handicapped individuals.	1974	$486.0	$147.1
	1975	$908.8	$199.9
	1976	$388.5	$326.4
	1977	Indefinite	$469.4
Title IV, Civil Rights Act of 1964 Purpose: Aid school districts to train employees and provide technical assistance in problems related to desegregation on the basis of race, color, religion, sex, national origin, or language deficiencies.	1974	Indefinite	$21.7 To fund 139 projects for problems relating to race only
	1975	Indefinite	$26.7 To fund 167 projects: Race - 134 Bilingual - 22 Sex - 11
	1976	Indefinite	$26.7 To fund 167 projects: Race - 134 Bilingual - 22 Sex - 11
	1977	Indefinite	$34.7 To fund 314 projects: Race - 187 Bilingual - 62 Sex - **

** HEW's budget justification for FY 1977 projected that 65 grants would be awarded for sex desegregation projects. Actually, only 10 awards have been made to institutes especially for providing training and technical assistance for overcoming sex discrimination. The other 55 awards have been made to General Assistance Centers, Local Educational Agencies, and State Educational Agencies for programs addressing all desegregation problems. This money has not been tracked by race, sex, ethnic origin, etc., within the general funding base, so it is impossible to measure the effect of these awards on sex discrimination.

This Summary Comparison was prepared by the National Advisory Council on Women's Educational Programs, July 14, 1977.

95-243 O - 77 - 12

STATEMENT OF JON FULLER, PRESIDENT, GREAT LAKES COLLEGE ASSOCIATION, REPRESENTING THE NATIONAL ADVISORY COUNCIL ON WOMEN'S EDUCATIONAL PROGRAMS, ACCOMPANIED BY JOY R. SIMONSON AND GRACE L. MASTALLI, COUNCIL STAFF

Dr. FULLER. Thank you.

The Advisory Council, as you know, was established by Congress under the Women's Educational Equity Act. It consists of 17 public members appointed by the President and confirmed by the Senate, and three ex-officio members: The Chairman of the Commission on Civil Rights, the Director of the Women's Bureau, U.S. Department of Labor, and the Director of the Women's Action Program at Health, Education and Welfare.

Congress directed the Council to advise the Commissioner of Education with respect to general policy matters relating to administration of the act, to make recommendations concerning allocation of funds under the act and to develop criteria for the establishment of program priorities.

In addition to these functions, which relate directly to the operation of the WEEA, the Council was also given a broad mandate to make recommendations to the Assistant Secretary for Education on matters concerning educational equity for women. Thus, we have acquired both an intimate acquaintance with the administration of the act and a broader perspective against which to assess its performance.

With relation to the Educational Equity Act, we have been able to participate over the past two years, working very closely with the Office of Education staff in the development of priorities and development of regulations, and then in the review of some of the early stages of proposals and some of the projects that are now underway.

The Council has conducted its own evaluations, both a formal one prepared by a contractor for us of a selected sample of projects, and also more informally by individual Council members visiting project sites and by meeting with project directors at some of the meetings that have been organized.

Our conclusion at this point is that the act has been well administered, that the projects that have been funded in the first two cycles are extremely promising, and we believe are going to make an important contribution to a very large and very complex problem.

It is a problem of attitudes, of recognizing the nature of sex bias—very often when one probes particular policies and particular practices, it is not a matter of people overtly wanting to discriminate, but of simply not realizing the options. This is because the attitudes about women particularly not being appropriate people to do many of the responsible things in our society are simply so deeply ingrained that automatic responses discriminate against women.

They don't often realize that it is discrimination because it does seem so much a part of our culture. The Congress in passing title IX clearly said that discrimination in education is contrary to the law of the land, but the actual eradication of that kind of discrimination

is an extremely complex process because it deals not just with formal practices, but with the attitudes that lay behind those practices, and with many of the materials and patterns of behavior that we have to work with in our educational system.

We believe that the projects and the way in which the act has been administered represent a reasonable strategy given the appropriation level that has been available. It has been the most cost effective way to deal with that amount of money faced with a problem of the size that one encounters with sex bias and sex discrimination in education.

The Council is impressed, however, if you compare the level of funding for this program with the level of funding which has been devoted to other kinds of discrimination in education, the disparity clearly indicates that far more needs to be done to achieve equity for women.

The problem is much more complicated than I think we may have first realized, and it is going to take a longer time to establish some new patterns, and establish a broader base of understanding so that the law of the land, which says that there won't be discrimination in education on the basis of sex, can really be the practice of the land in education.

You will see in our prepared testimony that our Council believes that when the Special Projects Act expires, as you consider renewal and possible future for these programs, that it would be appropriate to consider an independent women's educational equity program for some period of time at a considerably higher appropriation level.

We are suggesting a level which is at least equivalent to the maximum authorization in the law now of about $30 million.

Our Council also has a broader mandate to deal with matters of women's educational equity. Since the Council was established under the act which you are reviewing, we thought it might be helpful if I could review some of the other things the Council has done in carrying out that part of its mandate.

We have put our emphasis on what we think is the long-term solution to the problem, and that is that all educational practice, and specifically all Federal programs dealing with education, should reflect an awareness of the problems of sex discrimination, and a concern about those problems.

Therefore, we have been reviewing as carefully as we can all the practices of the Education Division. We currently have a series of reports which we will be providing the committee in the next few weeks, which are just being finished now, which update a study made in 1972 of the Office of Education about sex bias in the practices of that body.

That covers issues like participation of women in management decisions, distribution of funds, and the communications, and the data collection practices. All of those things constitute important and often subtle elements of sex discrimination which we are trying to call to the attention of the Assistant Secretary and the Commissioner.

In addition, the Council has tried to focus on some of the programs which we think are most significant within the Education Division. One of those has certainly been vocational education. We

have been very pleased by the Title II of the education amendments of 1976, which very strongly mandated an end to the sex stereotyping which has long characterized vocational education.

We have been trying to work with the development of regulations for that program to see that the mandate is in fact carried out in an appropriate way, bringing to that process what we think is a broader perspective and understanding of the issue and how it affects women and girls.

We have also been concerned about a career education. Our former Chair testified before this committee in March regarding H.R. 7 and we are pleased to see the committee agrees that the career education program should also emphasize removing those artificial barriers to people's careers aspirations based on sex.

We have also reviewed the report, a review of Sex Discrimination in Education made by the Commissioner of Education which was mandated by the law, and we are providing with this testimony a summary of the recommendations which we made to the Commissioner following our review of his report (Reprinted at the end of this day's hearing record.)

We find that we have also been able to explore one particular group which has heretofore been neglected, whose needs have not been talked about here in Washington very much—those were the women and girls who lived in rural areas.

The committee has already received copies of the report that came out of a series of counsultations which our Council held around the country with various groups. That report has had an impact on some of the projects being funded under WEEA (see appendix 5), and, we think, an important impact on people's understanding and awareness of yet another area of discrimination based on sex, which had not really been understood and focused on in the past.

We believe this is a problem that is going to take more time to solve. The Council is looking forward to working with the Office of Education, working with other concerned groups, to find the appropriate ways to solve it.

I appreciate the opportunity to be at this hearing today, and to present the Council's views about the act.

Mr. KILDEE. The next witness will be Ms. Holly Knox, the National Coalition of Women and Girls in Education.

STATEMENT OF HOLLY KNOX, PROJECT ON EQUAL EDUCATION RIGHTS, NOW LEGAL DEFENSE AND EDUCATION FUND, ACCOMPANIED BY MARGARET DUNKLE, CHAIR, NATIONAL COALITION FOR WOMEN AND GIRLS IN EDUCATION; CAROL PARR, EDUCATION COMMITTEE, WOMEN'S EQUITY ACTION LEAGUE; AND DONNA SHAVLIK, FEDERATION OF ORGANIZATIONS FOR PROFESSIONAL WOMEN

Ms. KNOX. I would like to ask the Chair of the Coalition to introduce the panel that we have from the Coalition.

Ms. DUNKLE. Mr. Chairman and members of the subcommittee, I am Margaret Dunkle, Chair of the National Coalition for Women and Girls in Education. The Coalition is pleased to be here this

morning to testify in support of a new and expanded authorization for the Women's Educational Equity Act.

The Coalition is a broad-based organization of over 50 national organizations, committed to equal opportunity for women and girls in our schools and colleges. Now that Congress has made equal educational opportunity a matter of law, this act is essential to efforts throughout our educational system to find a means to that end of equal educational opportunity.

Also here today with me and also supporting this end are Holly Knox of the Project on Equal Educational Rights, Carol Parr of the Women's Equity Action League, and Donna Shavlik of the Federation of Organizations for Professional Women.

Other organizations will be joining us in endorsing this Coalition testimony, and we ask your permission to submit their names for the record in the near future.

Mr. KILDEE. Yes, that will be so ordered without objection.

[The following information was submitted:]

ncwge National Coalition for Women and Girls in Education

Groups participating in the National Coalition for Women and Girls in Education endorsing Coalition testimony given on July 14, 1977:

American Association of University Women
Association for Intercollegiate Athletics for Women
Committee W on the Status of Women in the Profession, American Association of University Professors
Federal Education Project of the Lawyer's Committee for Civil Rights Under Law
Federation of Organizations for Professional Women
League of Women Voters of the United States
National Association for Girls and Women in Sport
National Association for Women Deans, Administrators and Counselors
National Association of Commissions for Women
National Council of Administrative Women in Education
National Council of Jewish Women
National Organization for Women
National Women's Political Caucus
Office of Women in Higher Education, American Council on Education
Project on Equal Education Rights, NOW Legal Defense and Education Fund
Project on the Status and Education of Women, Association of American Colleges
Sociologists for Women in Society
United States National Student Association
Wider Opportunities for Women
Women's Equity Action League
WEAL Educational and Legal Defense Fund
Women's Legal Defense Fund
Women's Lobby

to strengthen national policy and practices concerning women and girls in education

Ms. DUNKLE. We also ask your permission to submit additional materials for the record, some of which we will be giving your staff today.

Mr. KILDEE. That will be entered into the record, also.

[The following information was submitted:]

ncwge National Coalition for Women and Girls in Education

1818 R Street NW, Washington, DC 20009 (202) 387-1300

May 2, 1977

Dr. Joan E. Duval
Director, Women's Program Staff
Office of Education, DHEW, RM. 3121
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Dear Ms. Duval:

This letter is in answer to the Office of Education's invitation to comment on the proposed regulation for the Women's Educational Equity Act, which appeared in the April 1 Federal Register.

Most of our organizations already submitted their views concerning the Women's Equity regulation in December (the comments of 22 organizations are attached for easy reference). Our recommendations remain the same, and we urge you to reconsider the suggestions made then: on priorities, language and so on.

The new regulation is somewhat less difficult to understand than the one used last year. There are still aspects of the regulation, however, which are likely to place groups which are not sophisticated in federal grantseeking techniques at a disadvantage. For example, applicants must describe "validation procedures" of "the programs or products" which the project will develop. Many groups will have trouble understanding what this means.

We still find the regulation unnecessarily complex, and again refer you to our earlier comments urging that the program not limit funding to projects which will produce a model "program or product" that can be adopted by someone else. Otherwise, projects which are likely to have a broad immediate impact - regional or nationwide - may be passed over in favor of projects developing products which might have a future impact.

It is already clear that this regulation cannot be changed this year. Comments on the regulation are due May 2, but pre-applications - based on the proposed rule - are due three days earlier. Since it is not fair to change the rules of the game in mid-game, we assume there will be no major changes as a result of the public comments.

to strengthen national policy and practices concerning women and girls in education

Also, we should point out that asking for applications under the regulation at the same time you ask for comments on it may discourage an open exchange of views on the regulation. Some groups or institutions planning to apply for funds may feel that commenting critically on the regulation could hurt their chances of funding.

This is not the first time that the theory of public participation has been nullified by government delay. While HEW's cumbersome procedures are undoubtedly chiefly to blame, the Women's Equity program could try to avoid repeating the same situation next year by starting the process earlier.

We would be happy to discuss our views about the "proposed" regulation in more detail in the future.

Sincerely,

Margaret

Margaret Dunkle
Chair
(signed in her absence MD)

on behalf of:

cc: Honorable Mary Berry
Honorable Ernest Boyer

American Alliance for Health, Physical Education, and Recreation

American Association of University Women

American Personnel and Guidance Association

Education Commission of the States - Equal Rights for Women in Education Project

Lawyers' Committee for Civil Rights Under Law, Federal Education Project

League of Women Voters of the United States

National Association for Girls and Women in Sport

National Association for Women Deans, Administrators & Counselors

National Council of Jewish Women

National Education Association

National Federation of Business & Professional Women's Clubs, Inc.

National Organization for Women

NOW Legal Defense and Education Fund

National Student Association

National Student Lobby

National Urban League

National Women's Political Caucus

Sociologists for Women in Society

Women's Equity Action League

Women's Equity Action League Educational and Legal Defense Fund

December 6, 1976

Ms. Joan Duval
Director
Women's Program Staff
U.S. Office of Education
400 Maryland Avenue S.W., Room 3121
Washington, D.C. 20202

Dear Ms. Duval:

The undersigned organizations are pleased to respond to the Advance Notice of Proposed Rulemaking for the Women's Educational Equity Act Program (Federal Register, October 21, 1976).

Our organizations work in a variety of ways to advance women's rights. Some worked for passage of the Women's Educational Equity Act in 1973 and 1974. Others helped secure a million dollar increase in the appropriation for the Program for fiscal year 1977. All want this Program to succeed in meeting its mandate of providing educational equity for women in the United States.

We want to take this opportunity to express to you our views about certain policy and procedural issues raised in this notice and several others which are also relevant to the administration of this Program. Our concerns center around:

- the priorities for the Program since they determine how most of the Program funds are spent,

- the jargon and complexity of the regulation since they affect who will apply and who is likely to receive funding, and

- the preapplication process which must be maintained in order to make it possible for a wide range of individuals, organizations, and institutions to submit project proposals.

The enclosed comments elaborate our concerns and provide specific recommendations for regulatory changes in the coming fiscal year. For further information please contact Holly Knox at 332-7337, or Carol Parr at 638-1961.

Sincerely,

Ms. Joan Duval
Page 2

American Alliance for Health, Physical Education, and Recreation

American Association of University Women

American Civil Liberties Union

American Psychological Association, Committee on Women

Federation of Organizations for Professional Women

Lawyers' Committee for Civil Rights under Law, Federal Education Project

League of Women Voters

National Association for Girls and Women in Sport

National Association of Commissions for Women

National Council of Administrative Women in Education

National Council of Jewish Women

National Federation of Business and Professional Women's Clubs, Inc.

National Organization for Women

National Organization for Women Legal Defense and Education Fund

National Student Association

National Student Lobby

National Urban League

National Women's Political Caucus

Office of Women in Higher Education of the American Council on Education

Women's Equity Action League

Women's Equity Action League Educational and Legal Defense Fund

Women's Legal Defense Fund

WOMEN'S EDUCATIONAL EQUITY ACT
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1. The concept of "capacity building"*should be interpreted more broadly, with less emphasis on "products."

Last year the Women's Educational Equity Act regulation explained that all projects must be "capacity building," i.e. that they must all produce "results or products to be used by others."

We agree that with such a small amount of funds, the Program should not support projects whose impact will be limited to one school, campus or community.

However, the regulation implied that the only way to affect a number of institutions is to produce "products," written or multimedia materials, that can be disseminated elsewhere at some later date.

That's only one way to use a small amount of money to achieve a broad impact. Another way is to fund projects that have an impact on a number of institutions directly and immediately, for example, through information dissemination, or by creating state, regional or even national networks of people working to bring about an end to sexism in education so they can share information and experience among themselves. These projects might not always produce an exportable "product," but they could have far-reaching impact.

Only a few projects funded last year fit this category, presumably because the regulation stressed the production of materials in the explanation of the "capacity building" requirement.

We think both kinds of projects are needed -- projects whose main purpose is to develop materials for others to use, and projects with a more immediate impact on educational practice.

2. The regulations should encourage projects aimed at creating incentives for change.

Last year's regulation seemed to reflect the assumption -- in priorities, in criteria for approving applications and in the language itself -- that the only thing needed to change sexist educational practices is to supply educators with the tools.

In particular, the heavy emphasis on the development of training materials suggested that the operating philosophy was "where there's a way, there's a will."

Not so. School systems and universities, like all long established institutions, resist any kind of change. Since changing traditional practices is difficult for administrators, they are most likely to work for change when they have a strong reason for doing so. In this case, reasons for working to end sexist practices can include, for example, the threat of losing federal funds, the availability of funds to defray costs, and parent and community demands for change.

*We hope that this term will be dropped in favor of simpler language.

Unfortunately, the threat of losing federal funds is not believable enough to bring an end to sex discrimination. At the same time, the $7 million in the Women's Equcational Equity Program budget is not nearly enough to pay school districts or colleges to end sex bias.

However, the Program can help to support the impetus for change from parents, students and other interested members of the community which our educational institutions exist to serve.

So in addition to projects designed to supply educators with the tools for change, we think it is urgent that the Program place the same emphasis on projects that will build incentives for change by supporting the impetus to end sex discrimination which comes from the interest and concern of parents, students, and the community.

Not all educational administrators and teachers want to end sexism, but without community support those who do want to effect changes of this sort have a hard time doing so, law or no law.

3. The program should address new priorities rather than repeat last year's priorities.

Repeating last year's three priority areas is likely to result in funding more of the same with a very high proportion of the grants going to colleges and universities for developing training materials for elementary and secondary school personnel. Those materials are needed, but the purpose might have been better accomplished by funding the development of a handful of high quality materials and disseminating the best.

Therefore, we particularly hope that the "training modules" idea will be dropped as a priority.

4. We oppose the addition of an "early childhood" priority. The Notice proposes to add to the old priorities a new one focusing on early childhood education. We believe that although the preschool period is a time when sex role concepts are developed, it would be an unwise use of scarce resources to single out this level of education for special emphasis at this time.

Since Program funds are so limited, we think it makes more sense to concentrate on projects working to end sexism in the public schools, and to a lesser extent, on college campuses. To devote a significant share of the funds to another level of education, and yet another set of institutions, will produce a scattershot effort.

Over the past several years, a movement for an end to sex discrimination has begun in the public schools, and momentum has been created by marshalling a range of forces and resources across the country.

Now, we look to the Women's Educational Equity Program to emphasize projects that will further develop and sustain this momentum. Without the infusion of resources and energy from the federal government now, we may

begin to lose ground. Therefore, we would like to see the Women's Educational Equity Program concentrate its funds on tackling the problems of sexism at the elementary, secondary and post secondary levels.

5. We support a priority for rural and minority and bilingual/bicultural women.

These are women and girls who often suffer two sets of obstacles to equality -- sex discrimination and limitations placed on them by isolation, poverty, or their membership in racial or ethnic minorities.

We urge that women in these target populations be encouraged to develop their own projects, and at the very least, that their participation be required in the planning of projects specifically designed to meet their needs.

6. We suggest several alternative priorities: sports, textbooks, dissemination, and incentives for change.

Sports. We urge that athletics and physical education be designated a priority this year.

Ending sex discrimination in sports is the single most pressing and most difficult problem facing educators at all levels who are trying to comply with Title IX. Ending long-standing inequities in physical education classes and interscholastic sports presents a tough set of problems, from altering facilities to counteracting a lifetime of socialization warning girls away from sports to re-training teachers and coaches of both sexes.

This is one area where virtually no "tools" exist to help educators along. At the same time, many administrators are aware they have only one more year to comply with the Title IX regulation.

Helping the schools to deal with discrimination in sports is the most urgent need for Women's Educational Equity funds. This cannot wait.

Textbooks. When former Secretary Caspar Weinberger announced the Title IX regulation would not cover sex bias in textbooks, he pledged that the Office of Education would help communities that wanted to eliminate biased textbooks from their own classrooms. To our knowledge, that promise has never been fulfilled.

Derogatory and stereotypic views of females continue to dominate textbooks' protrayal of girls and women. We suggest that the Women's Educational Equity Program fulfill Secretary Weinberger's commitment by encouraging efforts to end sex bias in textbooks, and counteract the effects of sexist textbooks still in use.

Dissemination. There is no point in having materials to help end sex discrimination if they don't get into the hands of the people who want and need them. Last year, the Program underemphasized the need for

dissemination -- not only of the materials developed under the Program, but also of other excellent materials already in existence.

Without going into a lengthy discussion of this, we'll simply mention these points:

- few of the grants seem to feature dissemination of information or materials to any but a narrow project audience;

- the "communications network" contract -- for the astronomical sum of nearly $450,000 -- will produce only a plan this year;

- there is serious question whether that network is likely to meet the tremendous need of community groups, students and educators for information and assistance. Even under the best of circumstances, no one source can effectively reach all the relevant audiences;

- we question the Program's practice of blind, mass mailings to institutions as the best way to disseminate needed materials such as Title IX technical assistance materials. It's expensive, and many of those materials may never find their way to people who need them. At the same time, the Program's failure to print enough extra copies to disseminate on demand has meant that many people who were hungry for materials never received them.

For all these reasons, we suggest that dissemination be a priority and the Program encourage a wide variety of dissemination techniques for reaching the range of audiences that have an impact on opportunities for women in education.

Incentives for Change. Finally, as we noted earlier, we would like to see an emphasis on projects to create new incentives for change by supporting the impetus to end sex discrimination which comes from the interest and concern of parents, students, and the community. This could be a priority, or applications submitted under other priorities could win a sizeable point advantage if they meet this criterion.

Projects funded under such a heading might include, for example: efforts to use mass media to promote public understanding of the need for sex equality in the schools; efforts to organize and articulate community support for changes in sexist practices; and projects to inform students and teachers about their rights under Title IX and procedures for securing them.

7. The preapplication process should be maintained.

The preapplication process broadens the base of participation in the Women's Educational Equity Program by making it possible for groups, organizations and individuals with limited resources to develop and submit proposals. It is therefore essential that the preapplication process be maintained in FY 1977.

The preapplication process is not only cost effective for potential grantees, but by decreasing the number of full applications that have to be reviewed at government expense, it also conserves government funds by keeping administrative costs down. To require full applications from all interested groups and individuals would mean that the pool of project proposals would be much smaller and probably of lower quality than is possible with a preapplication stage in the selection process. Screening the preapplications enables the WPS to select those projects that look most promising in terms of ratings on predetermined evaluation criteria and on that basis solicit full and detailed applications for final screening. If the preapplication process is abandoned, the screening will not be on the basis of quality ranking factors, but on the basis of economic determinations as to who can afford to develop full proposals.

And because we believe that the preapplication process contributes so substantially to the quality and success of the WEEA Program, its use should not be made contingent upon the date of publication of the regulation. Therefore we reject Alternative Two and Three put forth in response to Question 1, "Should the preapplication process be used and under what conditions relating to time constraints?"

While we are sympathetic to time demandsinherent in a two-stage application process, we see much to be lost and little to be gained by soliciting preapplications prior to publication of the final revision of the regulation. Such a procedure would make substantive changes in the published-for-comment regulations virtually impossible and would impede citizen participation in the rule-making process in a way that would benefit neither the administration of the Program, nor the potential grantees.

We also question benefits that might be derived from a conference of successful preapplicants. It would seem more productive for the administrators of the WEEA to concentrate on publicizing the Program goals and timetables so as to encourage the submission of a large number of quality proposals, rather than meeting with only those preapplicants who successfully pass the initial screening stage. We surmise that on the basis of its first year's experience in administering the Program, the WPS is already capable of identifying most of the weaknesses or problems likely to be encountered in preapplications and we urge that this information be shared with all potential preapplicants by mailing them appropriate printed materials.

We believe that a brief preapplication of no more than twelve pages, typewritten and double-spaced, is adequate for conveying essential information about project activities including objective, plan of operation, potential for broad impact, products or materials, and staff and organizational capabilities. Applicants who do not submit preapplications or whose preapplications are not judged favorably by reviewers, should be discouraged, but not prohibited from submitting full applications.

8. Reviewers should be knowledgeable about the nature and causes of sex discrimination.

Reviewers need not, in fact should not, be limited to members of the Office of Education staff. All readers should be knowledgeable about the nature and causes of discrimination in education and each review panel should include at least one representative from a women's organization that has played an active role in the work to attain educational equity for women. If it is impractical to engage a sufficient number of knowledgeable people in the review process in the metropolitan Washington area, then review panels should be convened in other geographical locations.

9. There should be an increase in the number of small grants awarded in Fiscal Year 1977. The small grants program was developed to encourage "innovative approaches to attainment of equity in education for women." We strongly support this effort and recommend that it be expanded. The $1 million increase in the Women's Educational Equity Program budget for Fiscal Year 1977 should be reflected in an increase in the number of small grants awarded, while approximately the same proportion between large and small grants is maintained.

We believe that the greatest assurance for the support of projects outside of the priorities of the general grant program is to provide no specific focus for them. The limitations that would result from imposing additional priorities on this part of the program would not be beneficial.

We recommend that the "capacity building" requirement be maintained for the small grants, provided that the definition of this term is broadened to lessen the overemphasis on products. We also recommend that scholarships and fellowships continue to be ineligible for funding under the Women's Educational Equity Program.

Indeed it is desirable to encourage more individuals to apply for small grants. We also recommend the establishment of an 8% ceiling on the amount that may be spent on indirect costs under a small grant award. Imposing a ceiling in this range would effectively prevent the drain in indirect costs at the same time it would realistically allow non-traditional grantees to formulate and implement innovative projects.

10. The Program should not fund any research projects.

The Notice of Intent asks several questions about the role of research. We oppose the funding of any research projects with limited Women's Educational Equity Act funds.

- There are other sources of research funds. The National Institute of Education does support some research on sex inequality in education. We'd like to see NIE spend more money on this, but at least they have made a beginning.

- Research is too removed from change to justify support from such a small program. The main issue for all Women's Educational Equity grants and contracts should always be how to secure the greatest

amount of change with the least amount of resources. Research projects will not be funded if you apply that rule of thumb.

11. The regulation should ensure that all grantees and contractors are themselves working to provide equality of the sexes in their own operations.

Last year's regulation assigned up to 15 points to an applicant who could demonstrate that the project's and its own overall staffing pattern reflected a commitment to equity for women.

We are concerned that this may not be enough leverage to make sure that both grantees and contractors put their own houses in order, as a condition of receiving Women's Educational Equity funds. An institution could receive a high score simply by appointing women to its project staff even though its overall record of placing women in responsible positions is terrible, particularly since the regulation does not say what information the applicant has to provide about its overall staffing patterns. This is an invitation to select only the statistics which make the institution look good.

The regulation should put some teeth in this effort by:

- assigning points for equitable staffing patterns separately from equity in the project staff, and requiring that the applicant include certain specified information about the institution's management and staff, by sex;

- asking applicants if they have completed a Title IX self-evaluation and, if they are covered by Executive Order 11246, if they have an approved affirmative action plan; and

- checking with the Office for Civil Rights to see if there are any outstanding sex discrimination complaints against the institution. If so, the institution should be asked to explain in writing what it is doing to investigate the charge and, if valid, end discrimination.

Every applicant should have to sign an assurance that it will comply with Title IX.

The same requirements should apply to contractors as well as grantees.

12. The regulation should be written in simple English.

The regulation published last year was loaded with jargon -- bureaucratese and educationese. We have had reports from all over the country, principally from women who do not understand these foreign dialects, that they could not understand the regulation.

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The result:

- people with excellent ideas and solid experience were discouraged from applying;

- among those who did apply, institutions who have or can hire people who read and write the jargon comfortably (who are not always the people with the best ideas and most ability in this area) had a competitive advantage over those who aren't facile with the jargon.

13. Specifications should be streamlined and simply organized.

Last year's regulation was organized so that the reader had a hard time keeping track of all the different requirements and guidelines appearing in different sections. It was sometimes difficult to discern the relationship between different requirements. For example, the regulation listed three allowable program foci in Section 160f.3(c), six categories of allowable activities in Section 160f.4, and three program priorities in Section 160f.4(b)(3). It took careful and repeated cross-referencing to understand exactly what kind of projects would qualify.

The same was true of the many different lists of requirements, stipulations and criteria interspersed throughout nine pages of fine print -- it was difficult to keep track of which requirements applied to which kind of proposal.

In addition, the regulation taken as a whole was unnecessarily complicated and specific. Sex bias in education is a problem we've only recently recognized, and the country is only beginning to address itself to solutions. The Women's Educational Equity Program needs to encourage new ideas, creativity, fresh approaches.

Instead, the regulation issued last year -- with so many stipulations and specifications -- discouraged creative approaches by saying too much. Experienced proposal writers too often write their proposals based -- not on their own best ideas -- but on what the funding sources want. The result can be a high proportion of projects that basically parrot the guidelines, and too many similar projects are funded. A glance at the list of projects funded last year suggests that may have happened in the Women's Educational Equity Program.

You might look at the application guidelines for the Fund for the Improvement of Postsecondary Education, another small program with a big mandate to bring about institutional change. Those guidelines are a model of simplicity and clarity, and we encourage the Women's Educational Equity Program to adopt the same approach.

CONCLUSION

Looking at the regulation issued last year and the totality of projects which were funded, we think the program needs a major change in direction.

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While many of the projects funded last year will certainly contribute to progress for women, a new emphasis is needed:

- more emphasis on creating incentives for change to balance the current stress on tools for change, with a corresponding shift in the kinds of institutions and organizations which receive funds;

- more openness to projects generated by women around the country in the forefront of change, particularly rural and minority and bilingual/bicultural women, who may lack sophisticated proposal-writing skills and facility with the jargon;

- a more open-ended regulation to encourage fresh approaches;

- priorities that will channel the money to areas where the potential for progress and the need for help is high right now, and to projects with the most potential for impact on the education system.

Rewriting the regulation won't accomplish all of these things by itself, but it's the first step. A clear and simple guide for all potential applicants would go a long way to turning this Program around.

Thousands of women around the country -- women who petitioned the Congress for passage of the Women's Educational Equity Act and who supported its funding -- had very high expectations for this Program. We'd like to see more of that promise fulfilled.

Ms. DUNKLE. With your permission, I would now like to ask Holly Knox to summarize the Coalition testimony.

Mr. KILDEE. Ms. Knox, you may proceed.

Ms. KNOX. I would like to submit the full testimony for the record, if I may.

Mr. KILDEE. Yes.

[Ms. Knox proceeded to read her entire prepared statement:]

ncwge National Coalition for Women and Girls in Education

Testimony on Extension of the Women's Educational Equity Act

before the Subcommitte on Elementary, Secondary

and Vocational Education,

House Education and Labor Committee

Thursday, July 14, 1977

Witnesses:

- Holly Knox, Project on Equal Education Rights, NOW Legal Defense and Education Fund
- Margaret Dunkle, Chair, National Coalition for Women and Girls in Education
- Carol Parr, Education Committee, Women's Equity Action League
- Donna Shavlik, Federation of Organizations for Professional Women

to strengthen national policy and practices concerning women and girls in education

Mr. Chairman and members of the Subcommittee, we represent organizations active in the National Coalition for Women and Girls in Education. The Coalition is a broadbased network of over 50 national organizations committed to equal opportunity for girls and women in our schools and colleges.

We are pleased to testify in support of a new and expanded authorization for the Women's Educational Equity Act. Now that Congress has made equal educational opportunity a matter of law, the Act is essential to efforts throughout the education system to find a means to that end.

Inequities Persist, Despite Laws for Equal Opportunity

Title IX of the Education Amendments of 1972 has opened the door; five years later, full equality for students and employees is still a long way down the road. Title IX has not been enforced. Fewer than one-fourth of all Title IX complaints brought against public education systems since the law passed have been investigated and closed.* And HEW, which took three long years to even write a regulation spelling out what institutions need to do to end different treatment of the sexes, has taken virtually no action on Title IX independent of citizen complaints.

*Source: an unpublished study by the Project on Equal Education Rights

Thus even minimal compliance with basic principles of equal opportunity has been left to the good will and initiative of institutions which often find change of any kind difficult. Some schools and colleges have taken up the challenge and mobilized their own communities to identify and end discrimination based on sex. At the other extreme is the Southern school superintendent who told the American Friends Service Committee his school district would comply "on the last minute of the last day." Most institutions probably fall somewhere in between, taking the simplest and most obvious steps to reduce discrimination while avoiding tackling the more difficult and complex changes needed to make full equality a reality.

A look at education today makes it clear that we are still a long way from that equality. Textbooks, which are not covered by the regulation on Title IX, continue to reflect pervasive and blatant sex bias, from elementary school readers to medical school texts. As our children learn science, spelling, reading and math, they are still absorbing subtler messages reinforcing old ideas about the inferiority of women and the home as woman's only rightful place.

Many textbooks in use in the classroom today still portray boys and men as active, independent, adventurous and successful, while girls are consistently portrayed as passive, dependent, and prone to failure. And, despite today's reality that every young woman must be prepared to support herself and possibly her family for some years of her adult life, young people are still reading textbooks that suggest just one employment option for adult women - that of full-time homemaker in their own homes. For example,

a University of California study of widely used textbooks counted pictures of men in some 150 occupational roles, while almost every woman illustrated was a full-time housewife.

According to another study, this one made by a group of women in Princeton, New Jersey, "witch" is one of only 26 adult occupations shown for women while men are found in 147 jobs that vary from building contractor to explorer, from shoemaker to zookeeper. And if we take out mother, queen, and witch, we're down to 23 occupational roles for women, most of them the traditional ones of teacher, school nurse, secretary and cleaning woman.

Last October, a report of the National Institute of Education on "The Development of Career Awareness in Young Children" confirmed that children do develop ideas about careers at an early age, and that they almost always develop limited, stereotypic ideas about appropriate careers for men and women that persist through early adulthood when they begin to make their own choices about work and careers.

This Subcommittee has heard extensive testimony about the dramatic differences in vocational training for young men and women today, so there is no need to repeat the sorry results of a long history of sex segregation in job training. You should know, however, that the most recent vocational education statistics show little progress. Over forty percent of female "vocational" education students are still, in 1975, learning homemaking skills for use in their own home, not skills for a paying job. And the percentage of young women in vocational education who were learning technical, trade and industrial skills -- which

lead to higher-paying jobs - is still tiny: only 6% - one percentage point higher than in 1972. A UCLA study last fall of college freshmen showed wide discrepancies between the number of young men and women who planned careers in traditionally male and female fields - in teaching, business, engineering, health, and so on.

In athletics, Title IX clearly has had an impact in reducing blatant inequities. According to recent figures from the National Federation of State High School Associations, more than four times as many girls are competing this year on high school sports teams as did in 1970. However, reports also make it clear that the progress so far stops far short of equality. Girls still have many fewer teams and sports to choose from, and their teams receive less funding, less equipment, poorer facilities, fewer opportunities for coaching and practice, and little or no publicity. From West Virginia, which ties with Kentucky for the lowest proportion of its high school teams for girls, a high school student recently wrote:

> "A lot of girls here are very athletic and would like to participate in sport programs, if only we had any. I've talked to the principal and he said they didn't have enough room or money to give us any sports. He also said that if I liked sports to go watch the boys."

In employment, laws against sex discrimination seem to have made barely a dent on an overall pattern of women dominating lower paid teaching and service jobs, and a virtual male monopoly on school and college administration. In elementary schools, where for example, over 80% of the teachers are women, fewer than 20% of the principalships are held by women, and the proportion of women principals has been steadily declining for decades. And women

have almost been eliminated from the ranks of public secondary school principals. The latest data show women holding less than 3% of junior high and less than 2% of senior high principalshipr. That's a drop from 12% and 6%, respectively, in 1950.

In higher education, opportunities for women continue to be much more restricted than in elementary and secondary education. Only 5% of postsecondary institutions are headed by women, and most of those are in small women's or church-related colleges. A recent report by the College and University Personnel Association, for example, finds women both underrepresented and underpaid in top administrative positions in higher education. Of just over 1,000 institutions surveyed, women held 16% of the administrative positions and earned only 80% of the salaries of men with the same job title at the same kind of institution. And, in 1976, women held only 9.6% of the full professorships at our institutions of higher education - a slight drop from the previous year. Only 17% of associate professorships were held by women in 1976, up a mere .3% from 1975.

The Education System Needs Help to Make Full Equality a Reality

Obviously, laws are not enough. The laws against sex discrimination are poorly enforced, often ignored - and they are powerless to change many of the most important barriers to equality.

Laws alone will not effectively end covert discrimination in the behind-closed-doors selection of school principals and tenured faculty. Laws alone will not stop counselors from advising students to follow the career paths established by tradition for their sex.

Laws alone will not prevent teachers from encouraging boys in math and science and girls in music and art. Nor can they change a school superintendent's firm conviction that his schools are doing well to prepare every girl for a lifetime of unpaid domesticity in her own home.

So many things are needed before words in a statute are translated to truly open opportunities regardless of sex that we can only begin to list them here today. Among the essentials which do not now exist or which are not widely available are:

- programs to build community and parent support and involvement vital to the effort to achieve equality in the schools;
- programs to inform students of their right to equality regardless of sex, and to encourage them to take advantage of those new rights to the fullest;
- practical advice for teachers and administrators on how to make the transition from old discriminatory programs to brand new equitable ones. This is a most desperate need where the sexes have traditionally been segregated, such as physical educational and vocational training;
- guidance for teachers and curriculum development specialists in changing the curriculum at all levels of education to reflect new information and research about women and the idea that girls as well as boys need strong and varied role models of their own sex in their formative years;
- models for encouraging girls - and boys - women and men - to explore occupational training in fields once considered closed to members of their sex, and for giving them the support they need

as often lonely pioneers in training for those fields;

- techniques for challenging the informal but powerful barriers that keep women out of influential administrative and other leadership positions throughout the education system;
- training for education personnel of all kinds on the subtleties of sex discrimination and how to avoid them in their own work;
- basic information for everyone with a stake in education about what the laws against sex discrimination mean for their schools, and what they can do to make sure these laws are implemented;
- better information for educators, public policy-makers, and the public assessing the nation's progress in combatting sex discrimination in education.

In short, equal opportunity will only come about when communities, schools and college campuses can get help in three areas:

- in ending sex discrimination now built into educational practice, and its long-term lingering effects;
- in developing new programs to address the special needs of people of both sexes who want to explore new opportunities which are unfamiliar to many people of their own sex;
- in defining their own equal opportunity goals in the context of solid information about progress nationwide in achieving an end to inequity.

Current Efforts to Help are Extremely Limited

Considering the enormous challenge these needs represent, present public and private efforts to meet those needs are meager. A small number of national organizations have, either on their own, or with the help of a small amount of seed money from foundations or public sources, undertaken projects of their own to encourage efforts to achieve equality in the schools. They range from a project of the American Association of School Administrators to support more women administrators to a six-state campaign of the American Friends Service Committee to check Title IX compliance in Southern schools. In addition, local community and education groups in some communities have taken a leading role in pressing for and helping promote equity for the sexes in their schools - holding workshops for parents and teachers, organizing non-traditional career awareness activities for young people, calling on school boards to make equality for the sexes an educational priority, and so on.

In HEW, funds to support equity for both sexes in education come primarily from two sources. First, Title VI of the 1964 Civil Rights Act, thanks to a 1972 amendment, is providing limited but essential technical assistance and training to school districts seeking to comply with Title IX. These funds are restricted to technical assistance and training, and they are restricted to assistance for public elementary and secondary schools. Title IV projects have been among the very few resources for basic compliance information and assistance for public school personnel.

Second is the subject of our testimony today: the Women's Educational Equity Act. Enacted in 1974 with the broadest of mandates to "provide educational equity for women in the United States," the program is now going into its second year.

Analysis of the slate of grants awarded in the first funding cycle shows that projects supported by this program have addressed problems of equity for women at all levels of education - preschool, elementary, secondary, higher and adult education. In the first year, priority was given to grant applications in three areas:

- the development of training packages, mostly for teachers;
- the implementation of training programs for educational administrators and other personnel; and
- the development of model programs that broaden the career options of women.

In addition, small grants, limited to $15,000, were authorized for the support of innovative approaches to achieving educational equity.

Most of the small projects funded involved the development of instructional materials and guides, although some projects addressed the special needs of women offenders, women returning to educational programs after long absences, and women and girls choosing non-traditional careers. While we withhold final judgment until we have an opportunity to review the results of the first year's efforts, we are optimistic about the potential for accomplishment by the recipients of these small grants.

Although it is much too early to assess the effectiveness of the 67 grants and handful of contracts that have been funded in the first funding cycle, it is already unmistakably clear that the program, as presently constituted, has not and is not likely to address most of the urgent needs reflected in its ambitious mandate:

- Because funds have been so limited ($7.27 million this fiscal year), the Office of Education has wisely chosen to restrict the program to development and demonstration projects which have a potential for national impact. That means that no funds are available to help support the costs for, or offer incentives to, institutions that want to take difficult or complex steps to open up new opportunities for students or employees.

- Development and demonstration funds available last year primarily went for the development of general training materials and training programs for elementary and secondary school staff. Little attention has gone to badly needed development and demonstration projects in many other areas where resources are urgently needed: in community and student involvement in the process of achieving educational equity, in the implementation of nonsexist physical education and athletics programs, in broadening courses to include material about women or supplementing sexist textbooks, and so on.

- In addition, the program has not effectively tackled the tremendous dissemination job needed to get information and materials that do exist into the hands of the many different groups that are demanding them - community and women's groups, parents, students, teachers, administrators, and so on. The WEEA program has recently let a contract to explore the creation of a "communications

network" on sexism in education, but the choice of a research and testing firm with limited experience either with school-based change or the community groups concerned about the problems to plan the clearinghouse suggests that a broad range of alternative dissemination strategies for reaching the many different audiences will still be needed.

While different program priorities could channel existing funds in somewhat different directions, shifts in the way the program is administered could only make a miniscule difference in the program's ability to meet these needs. (I would like to submit for the record the suggestions of 22 organizations of changes they believe could and should be made.)

Under current legislative constraints, the need for information, for materials, for models and practical ideas, and for help in supporting the costs of changing from old practices to new, open opportunities, will remain largely unmet - however the Office of Education allocates its Women's Equity funds. These needs simply cannot be seriously addressed with program funds at current levels. Last year, despite the fact that it was the program's first year and information about it was scanty, the Women's Educational Equity program received about 20 applications for each grant made. Out of some $105 million requested, only $4.7 million in grants was awarded. And while these figures themselves suggest a great demand and high expectations for the program, it is clear

that the potential demand for the broad range of activities envisioned by the original act is enormous. If the agency had not restricted most of the funds to "capacity building" projects in three priority areas, the application rate would certainly have been a great deal higher.

New Legislation Should Provide Help in Three Areas

Legislation extending the Women's Educational Equity Act should offer assistance in three areas:

- information and guidance for education personnel
- information and guidance for community groups and those protected by the law
- financial incentives to encourage change within individual institutions.

Sex discrimination and crippling stereotypes are still widespread at all levels of education. Many institutions, faced with a law against overt forms of sex discrimination, are frankly at a loss to know what to do next. They need information, they need materials, they need models.

In addition, community support and involvement will be the key to many local efforts to eliminate sexism in the schools. Community groups need information, they need materials, they need models. So do students and employees whose rights are protected by laws guaranteeing equal opportunity regardless of sex. Incentives for change by encouraging the interest and concern of parents, students and the community will be crucial for the success of the move to end inequities based on sex.

Finally, it is time that the federal government began offering monetary assistance and incentives to institutions interested in tackling the profound changes that are needed to counteract decades - centuries - of education practice based on outmoded assumptions about women's and men's proper role in life. Compliance with the law on paper may not be costly for many institutions, but a genuine effort to overcome long-standing prejudices, attitudes and expectations can be more complicated. For example, it costs nothing to issue a directive stating that industrial arts courses will henceforth be open to both sexes. But overcoming the effects of long-standing bars to girls' participation in those courses may involve much more. It might mean working intensively with teachers and counselors who believe that girls belong in more "feminine" courses. It might mean making a special effort to encourage girls to take advantage of their new opportunities, and to make them aware of the career choices they can explore through the skills learned in industrial arts. And it might mean working with parents and community groups to win their support for and assistance in encouraging girls to take advantage of their new opportunities.

The framework of the Women's Educational Equity Act must be expanded to provide for the range of development, dissemination and incentive/support activities which are essential to supporting a national policy of equity for girls and women in education.

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The current Act has two major limitations:

1. As part of the Special Projects Act, the Women's Educational Equity Act gets a small share of the overall Special Projects Act appropriation, which is unlikely to rise significantly in the foreseeable future. The immediate and longterm funding needs far exceed the current appropriations limitation.

2. The current authorization makes no distinction between projects with potential national impact - the demonstration, development and dissemination projects the Office of Education now seeks to fund - and incentive and support projects to encourage institutions to explore new approaches for the benefit of their own students, their employees, and the community. These two functions need to be separated and clearly articulated.

Legislative Recommendations

Therefore, we recommend that rather than extend the Act in its current form, the Subcommittee create a new authority to replace the present one when it expires. We believe the new authorization should:

- Contain its own appropriation authorization. A new Women's Educational Equity Act should be independent of the Special Projects Act or any similar arrangement tying together funding levels for unrelated programs.

- Reflect a two-step approach to women's educational equity. The first section of the legislation should authorize funds for activities which have, or which have potential for,

national, regional or statewide impact: development, demonstration, and dissemination activities. Since these projects are both vitally needed and the best way to use very limited program funds, the first funds available up to a given appropriations level - such as $25 million - should be expended under this section of the authorization.

The second section would authorize incentive grants to encourage efforts to provide equal opportunity for both sexes within a single institution or community. These projects would be judged purely on their potential for equalizing opportunities in one institution or community - they would not have to have a potential for broader impact. These grants would be competitive, and they would cover the special costs involved in achieving expanded opportunities. They should not, of course, offer operating funds for educational programs institutions must provide to equalize opportunities for one sex, but they should help pay for the special efforts needed whenever major changes must take place. Matching funds should be required. This section would be funded out of appropriations over the $25 million level, up to an authorization of $100 million.

- Maintain a small grants program in both sections for grants of $15,000 or less. These grants are highly effective for providing a small amount of seed money for individuals, organizations and institutions which are willing and able to invest a much larger amount of time and energy with the help of a small amount of money.

- Retain the authority for the National Advisory Council on Women's Educational Programs as an advisory group for the program, for the Assistant Secretary for Education, the President and Congress. The Council is currently providing an invaluable service to the Education Division by identifying changes many different federal programs need to make to better serve the female half of their clientele.

- Specifically allow the establishment of funding priorities for the program each year after an opportunity for public comments.

- Emphasize the need for

  --dissemination

  --projects aimed at encouraging students, parents and other interested community groups to become involved in the process of achieving educational equity for girls and women

  --assistance to those on the forefront of change who may lack sophistication in federal grant-seeking techniques.

We would be happy to explore details of these ideas should the Subcommittee need them at some future date, and we would be pleased to answer any questions you might have.

BRIEF COMPARISON OF STATUTES RELATING TO PROGRAMS AIMED AT ELIMINATING SEX DISCRIMINATION AND SEX STEREOTYPING

IN EDUCATIONAL PROGRAMS[1]

	Women's Educational Equity Act of 1974	Title IV of the Civil Rights Act of 1964 as amended by the Education Amendments of 1972	Vocational Education Amendments of 1976	Educational Amendments of 1976 - National Institute of Education	Title IX of the Education Amendments of 1972	Title VII and VIII of the Public Health Service Act
MAJOR FOCUS:	To stimulate and develop new practices, programs, materials and techniques to end sex bias at all levels of education.	To provide technical assistance to school districts striving to end inequities based on race, color, national origin, religion or sex.	To provide assistance to vocational programs. Specific provisions relate to ending sex bias and stereotyping in vocational education programs receiving Federal assistance.	To improve the quality and equality of education. Conducts basic education research. Education Amendments of 1976 mandate NIE to undertake educational research to improve the ability of schools to provide equal educational opportunities for females (as well as students with limited English-speaking ability or socio-economic disadvantage).	To prohibit sex discrimination in federally assisted education programs.	To prohibit sex discrimination in admission of students to federally assisted programs which train health personnel.
BASIC IMPLEMENTATION:	Provides grants for programs which have the potential for broad impact and implementation beyond the initial recipient, i.e., the development of materials and programs that can be disseminated and/or replicated elsewhere. Does not provide direct technical assistance to schools per se.	Provides technical assistance to schools for training and employment of personnel to deal with desegregation problems. (Majority of funds have been allocated for race desegregation and problems arising with bilingual students.)	States must submit plans to overcome sex bias, and must designate some full-time personnel to work on the elimination of sex bias.	Grants and contracts are awarded to institutions and others; Women's Research Staff conducts in-house and extra-mural research. Research programs may include evaluation of demonstration projects.	Enforcement program only. Provides little, if any, technical assistance to institutions.	Enforcement program only. Provides no technical assistance to institutions.
RANGE OF RECIPIENTS:	Pre-school through post-secondary. Funds can be allocated to community organizations.	Elementary and secondary schools only; no assistance for post-secondary institutions.[2] Funds can only be allocated to a school board, State, municipality school district or other governmental unit operating a public school or schools. Funds may not be allocated to community organizations.	Vocational programs only, with emphasis on secondary schools. May also include training of adult women such as homemakers, single heads of household, etc. Generally funds are not allocated to community organizations.	No restrictions on recipients.	Covers institutions at all levels which receive Federal funds.	Covers post-secondary institutions only.

[1]Statutes and regulations prohibiting sex discrimination against employees are omitted. For a full description of such laws and regulations, see Federal Laws and Regulations Concerning Sex Discrimination in Educational Institutions prepared by the Project on the Status and Education of Women, Association of American Colleges, 1818 R Street NW, Washington, DC 20009, June 1977.

[2]Institutions of higher education may receive grants to provide training for elementary-secondary personnel.

Chairman PERKINS. Thank you. Let me ask you a few questions here.

What do you think of the priorities for the women's equity program to date?

Ms. KNOX. In the first year of the program, there were three priorities. They were basically oriented towards developing materials to train education personnel on sexism. That is where most of the funds went for the development of training materials and training programs.

The coalition has been concerned that in addition to the development of materials there needs to be a strong emphasis on dissemination, on getting those things out, and also on projects that are building demand and pressure on school districts to want to use those materials.

We have been concerned that the impression one gets from looking at the grants is that there is an idea that where there is a way there is a will. Just because materials are there, they are needed, but just because they are there, that they will be used—it is quite clear that is not necessarily true.

School people need to be hearing from their own communities and their own teachers and their own students about the need to move on sex discrimination, that the law itself is not enough, enforcement is not enough, and that the program also needs to be providing information and support to community groups, to students, and to teachers who are protected by the law to help people make sure that there own school systems and colleges and universities are moving.

Chairman PERKINS. More than half of the grants have gone to higher educational institutions. How do you feel about that distribution? Do you feel it is equitable?

Ms. KNOX. Let me answer it this way: A lot of the grants did go to institutions of higher education. Since the program is developing the funding of demonstration programs, in one sense it doesn't matter where the money goes as long as the purposes are effectively met.

I think the biggest problem is that most of the funds went for basically the same kind of program, universities developing those materials for use in secondary and elementary schools. If there had been an emphasis on different kinds of projects, you would have seen different kinds of grantees.

There were very few community groups funded. There were very few elementary and secondary level groups funded. So I think the problem is in the kind of projects that were funded, rather than who got the money.

Chairman PERKINS. How effective is the small grant portion of this program?

Ms. PARR. Mr. Chairman, I think this aspect of this program is really remarkable. Of course, we are still in the first funding cycle, in the 11th month of the first year, so we don't have the final results, seeing it is a little bit early to give some sort of final judgment.

But some of those small grant programs of which we have knowledge, there is evidence that these grants of under $15,000 are having considerable impact.

For example, there is a program in the State of Colorado, again a grant of less than $15,000, which I have been hearing from members out in that part of the country, has done a lot to increase awareness of sex discrimination in sports and physical education programs.

It has also increased the knowledge and the information about existing programs. It has thereby enabled a lot of young women, as well as women my age, to participate in sports and athletic programs that they would not otherwise have been aware of.

Chairman PERKINS. Let me ask you another question regarding the purpose of the program. Is this program basically supporting the implementation of title IX, or is it broader? Do you feel it should be broader, and should it pay for the cost of title IX's implementation?

Ms. DUNKLE. I think there is a clear relationship between the programs that are funded under the Women's Education Act, and that should be funded under title IX. However, the Women's Educational Equity Act goes far beyond title IX. Title IX is an enforcement program, and indeed it provides the incentive for many institutions to be receptive to the changes being suggested, recommended or for which materials are being developed under the Women's Educational Equity Act.

Title IX is an enforcement program. The Women's Education Equity Act is an incentive program.

Chairman PERKINS. How do you feel about the authorization? Is it adequate?

Ms. DUNKLE. The current authorization, which is $30 million in the Women's Educational Equity Act, although it has never been funded at near that level, is certainly inadequate to meet the mandate of the legislation which is to provide educational equity for women.

We are recommending, the coalition is recommending, substantially higher authorization, up to $100 million, in a two-tier approach, with the first $25 million being used primarily for projects with a national impact, and then beyond that, over $25 million, the additional $75 million, should it be funded at the full level for incentives at the institutional level for extraordinary measures to provide educational equity for women, or to overcome the barriers in the past.

Chairman PERKINS. Of course, title IX has been a controversial piece of legislation. But to my way of thinking it is a great piece of education legislation. It is still controversial in certain areas, as you well know. If the Women's Educational Equity Program is developing materials for ending sex stereotyping, what can it do to make sure that they are used?

Ms. DUNKLE. One of the things which they can do is to have an increased dissemination network for the materials which they develop—to get those materials out to the field, to the people who will use them, to students who have virtually been ignored in dissemination in the past, to community groups, to organizations especially concerned with equity for women, as well as to administrators and teachers and people within the educational establishment who by and large have better access to that type of organization to start with.

Additionally, if they can develop materials which address the needs of the groups which are most likely to push for the types of changes which will enable our schools to provide true equal educational opportunity.

Chairman PERKINS. One concluding question.

Getting back to priorities again, of the programs that are presently funded, which do you feel are the most promising and which do you feel have attained the greatest results?

Ms. PARR. As I said, it is a bit early for final judgment, since we have not seen the products, the results of the first year's activities—they won't be ready for a while. There is a model program in the State of Massachusetts, however, that I would like to call to the subcommittee's attention.

In this particular program, students have been provided with leadership training and information and skills and strategies that have enabled them to monitor educational policies and practices within their own institutions and throughout the State for their possible discriminatory impact that they might have.

There is also another program—and I believe descriptions of about eight of these programs are appended to the administration's testimony—but there is another program in Puerto Rico, which also has considerable impact.

Ms. DUNKLE. I think another program which deserves special mention here is the production of technical assistance materials for title IX implementation at the school level under contract to the Resource Center on Sex Roles in Education.

Those materials which Joan Duval mentioned in her testimony are being extensively used by institutions as well as by outside groups to help make the types of changes which Title IX either requires or encourages, and the development of those types of materials as well as the wide dissemination assists institutions in making changes without formal enforcement actions by the Office for Civil Rights, making voluntary changes rather than having to use the enforcement mechanism within the Office for Civil Rights at HEW.

Mr. KILDEE. I have a question. While serving in the Michigan Legislature, we passed some legislation that hopefully will move the State along the road to recognition of discrimination in the past. One was the textbooks, sex stereotyping in the textbooks.

It was interesting at the time, those who felt there really was no need for legislation, when they began to check the books just found stereotyping pouring out page after page in the textbooks. I think we made some progress there.

I would like to ask this question. How much cooperation—maybe any of you at the table may try to respond—how much cooperation have you received from State educational agencies in using materials that have been developed in implementation of the Women's Educational Equity Act, and in particular, if you have the information, what type of cooperation have you received from, say, the Department of Education in Michigan.

Dr. Duval?

Dr. DUVAL. Yes, Mr. Kildee. The only tangible materials that we have thus far produced are the title IX materials that Ms. Dunkle

just referred to. I have a package of them here, if the committee would like to examine them.

The Office of Education published over 22,000 copies for distribution. Roughly four or five State departments on their own initiative reproduced 40,000 copies for distribution within their States.

They are on sale at the Government Printing Office now. According to our report last week from GPO, 12,000 copies have already been sold. Of the 14, six items are already in reproduction. I can't give you the exact information on the State of Michigan, but I would be happy to supply it to you.

Mr. KILDEE. If you could, I would appreciate that.

[The following information was submitted:]

The Title IX Coordinator for the Department of Education of the State of Michigan has distributed approximately 700 copies of "Complying With Title IX: Implementing Institutional Self-Evaluation." They were sent to all school districts, intermediate school districts, and select community colleges. Other Title IX materials were distributed selectively due to the limited supply available in the Title IX Coordinator's office.

Ms. KNOX. I have a comment about your own State. Your own State has one of the most active title IX support people—they have a person in the State Department of Education who is giving technical assistance to schools around the State. She is one of the most visible and most active in the country.

Mr. KILDEE. Do you have her name?

Ms. KNOX. Yes. Jo Jacobs.

Mr. KILDEE. Yes, I know her. Thank you.

All right. Mr. Buchanan.

Mr. BUCHANAN. Thank you, Mr. Chairman.

First, Mr. Chairman, let me just say to my friends from the National Coalition of Women and Girls in Education that there is a French expression that the more things change the more they remain the same. Would you say this has been your basic experience?

Ms. KNOX. Is that a question?

Mr. BUCHANAN. I know you must feel some frustration. After all, notwithstanding the changes we have made in the law, the basic situation of equal opportunity or of discrimination seems so unchanged. It would seem to me that educators themselves ought by now to be sensitive to this problem.

Do you have any idea why there has not been more voluntary and other efforts, other than Federal, to bring about real change?

Ms. KNOX. Well, there are a lot of ways to answer that question. First of all, I take comfort in the idea that people have been trying to change educational institutions for decades, and this is not the only kind of change that is tough to bring about.

So, I think there is a serious problem of institutional inertia, which we fight every time we try to change what has been going in on schools for 200 years or so.

So, that is a first problem.

A second problem is that schools are run by men and many of them are not sensitive and are not getting a great deal of support, information and other kinds of things that forces them to be sensitive. That is one of the things that the Women's Equity Act needs to do.

There is very little information abroad about title IX, except for the awful newspaper stories about HEW going after father and son banquets and things like that. HEW has not publicized the title IX at all. Students don't know about it, so they are not making demands on the people who run their schools.

A lot of teachers don't know about it; parents don't know about it. So in a lot of communities there is not a great deal of pressure on administrators who are very busy, and who really don't understand these poblems, and why are those women unhappy anyway. So, they don't have to change.

You might be interested in some copies of this report which was done by the American Friend Service Committee. I brought a few, and I will be happy to give them to the people who are here. They went into six southern States and sent in volunteers to find out to what extent their school systems had been complying with title IX.

This was done last year. They found extensive violations and a lot of resistance, a lot of strong resistance from administrators and people who just didn't want to move. It is a very interesting publication.

Ms. DUNKLE. As a practical matter, most people who administer anything, including educational institutions, schools and colleges, rather than being the initiators of change more often respond to pressures for change from the outside. Some administrators respond very creatively; some do not.

I think as the awareness of people about the damage that sex stereotyping causes to both little girls and little boys increases, as the awareness of the fact that most little girls will grow up to be women who work, and who may be the sole breadwinner in their house, and will have to support their families, as an awareness of this increases, we are going to find public pressure increasing to assure that educational institutions provide those little girls, as well as those little boys, with the opportunities to obtain an education which will allow them to be the best possible person that they could, both in the personal sense, in terms of their options, as well as in the employment realm, which is certainly much more measurable.

I think as administrators are part of the public, they will be part of that, and as they control the programmatic concept and organization of our school systems and colleges, they will hopefully respond with increasing creativity and swiftness to the changing role of women in increased public pressure.

Ms. PARR. I would like to also comment to the effect that we believe there are a lot of school administrators and a lot of other people out there of good will, people who are really concerned about problems of sex discrimination in educational institutions and educational programs.

Part of their need is being met by this program because it is providing some tools, it is providing some workshops, it is going to provide them with some films they can use, it is going to provide them with some sound, solid, concrete information about what to do and how to do it.

I think that is a very important aspect of this program. We are saying that along with that, along with the information that they need along those lines, a lot of these people do need some help from people in their community. There can never be any compliance or any enforcement agency that is big enough.

We really have to educate the public more about what their own rights are and get these people working more actively on the local and on the State level to address these problems, to resolve these problems, so that they don't end up as title IX complaints filed with the Office for Civil Rights, and so that they don't end up in the courts.

Dr. FULLER. I think the main problem is really one that people don't usually recognize that there is discrimination going on. They certainly don't recognize some of its more subtle aspects. It is an important and long-term educational process in the largest sense that has to be carried on.

Educators are an appropriate first target for that educational process. It is a much more difficult problem than I think we first realized it was, and it is going to take a while to solve it.

I don't think anyone expects that an act like this should go on indefinitely, but we do have to carry on a much larger campaign than we have up to now if we are going to make an impact on these subtle attitudes.

Mr. BUCHANAN. I note, first of all, your recommendations for legislative change, and look forward to working with you toward their implementation.

Second, Mr. Chairman, regrettably I have the privilege, today anyway, of serving as ranking minority member on a subcommittee that is in progress at this moment on another important hearing. While I don't find anything more important than this, I am the only Republican at that hearing.

Here in this meeting is my distinguished educator friend from Pennsylvania, Mr. Goodling, who has been with you all morning, so I am going to leave.

I would ask, Mr. Chairman, that after the members have questioned the witnesses, if it would be possible for counsel to ask additional questions. I would appreciate it very much.

Mr. KILDEE. The Chair has no objection to that.

Mr. BUCHANAN. Thank you, sir.

Mr. KILDEE. I will call upon the distinguished gentleman from California, Mr. Miller.

Mr. MILLER. Thank you, Mr. Chairman.

What amount of money is made available for use by student groups, if you will. I notice you talk a lot about awareness of students. What kind of projects have been made available to tell students about their rights, if you will, or their privileges? Are there projects that are undertaken?

Dr. DUVAL. In one project which I believe Carol Parr referred to, the Massachusetts State Department uses the existing Massachusetts student system. Students in Massachusetts sit on school boards and advisories to the State. This is a project that is not only training students to work with students within their own school systems, to become familiar with the provisions of title IX and other civil rights legislation, but also to be able to examine textbooks, to work with teachers, to work within their community, to heighten awareness.

You must understand, we only have 67 projects out there. We are in the process of funding for the second year now. The City of Rochester, N.Y., had a small grant. There was a student media campaign, designed to create an awareness within the citizens of that city, and particularly the school systems, of forms of discrimination by both sex and race.

So, those are the only two that students are actively involved in. Others, however, are producing materials that students can use, and that will be used with students such as curriculum materials and supplementary materials for textbooks. But to date, those are the only two projects with actual student involvement.

For the title IX materials that we have developed, we did develop a student handbook, which very cleverly sets out for the students their rights under title IX, and what they should do about them.

Mr. MILLER. What do you do with that handbook?

Dr. DUVAL. We have tried to disseminate that. We sent it to school systems. We sent it to national student associations and disseminated in that fashion. We put it in the hands of teachers, too. That is one of the things our contractor recommended we do, that every teacher should have that student handbook.

Mr. MILLER. Do you know if the students ever got the handbook?

Dr. DUVAL. I will have to check that out. I am sure there has been some distribution to the National Student Council Association.

Ms. DUNKLE. I think the few projects that have been funded, such as the one in Massachusetts, have shown the potential for having a very large impact. If you get information to the students who are actually the product of the educational system, they certainly have the most vested interest in the system there of anyone else.

The fact of the matter is now there is no coordinated or comprehensive national effort to get information to students about what they can do and what they can look for in their educational system. I think this is one of the big areas where there is potential for having a tremendous impact, and as yet that potential is unmet.

Mr. KILDEE. Further questions, Mr. Miller?

Mr. MILLER. It sort of harkens back to some of the things we talked about in vocational education, in regard to the hearings we had last year on sexual stereotypes.

I don't hold much hope for changing teachers' and administrators' minds in terms of these problems. I think I come from an area where in title IX the schools have done a fairly decent job certainly in the district I represent.

The largest school district has really worked very hard. But there is that old business of sort of reluctance and you may do it, but you don't really believe it. I think that perhaps students really believe it

and want it done. I would be concerned certainly if you have developed what you think is a clever and good handbook, if it is not in the hands of the students.

We put everything else in their hands when they register for school, and I don't know why we would not do that. Obviously everybody would claim money. But I think that rights without knowledge of rights aren't rights.

I come from a town of about 20,000 people. I would say that the young women in that school district have figured out pretty much what their rights are certainly in regards to the sports programs. It has caused a lot of trouble for people who had a nice mellow small town school. But it is changed, and it is over and done, and they are on their way.

I would just hope that as these projects go out, that we look in that direction, because I think that the teachers will adapt at that time which they find the students in the school are not going to accept the old way of behavior.

I don't mean it has to be done through confrontation. But I just have much more faith in young people who see that their rights are deprived, and see that the law in fact is the other way, in going after and making it a fact of life to carry out the law.

Ms. KNOX. I would just like to say that is why we emphasize dissemination. Dissemination is an awful social scientist word. If I could figure out another way of saying it, I would. It is basically getting the stuff out in the hands of the people who really want it. This is a good example of the difficulty and the complexity of getting the information out there.

You cannot give notices to teachers. You cannot stick something in the mail and think you are going to hit students. You have to try a lot of different things, which really nobody has ever tried before.

You have to get on the radio stations that they listen to. You have to get in the magazines that they read. You have to get in comic books. You have to get to the channels that reach the people you are trying to reach.

A lot of the standard ways of disseminating information, only at best they get something on the desk of a head administrator, or something like that—who knows whoever uses it.

But, to really make these things work, you have to have a lot of different approaches and it takes some time and money. There has never been that kind of resource available put into the hands of people who have the imagination and have the dedication to trying all those different ways to really reach kids. That needs to be done.

It is a really important thing that this program could do.

Ms. PARR. You have touched upon part of the rationale that we have thought through as we discussed how this program might be reorganized. In a sense, we have now, with the Office for Civil Rights and with the citizen's ability to file title IX complaints, we have some sticks.

In recommending that this program be authorized on a two-tier system, where the second tier would go directly to the institutions, we are attempting to offer some carrots as well.

It is my personal view that individuals like educational institutions still operate in what they perceive to be their own best

interests. It has been perceived to be in their best interests inasmuch as they are afraid—the institutions are afraid—of complaints and the administrative work involved in a complaint is filed against you, and the visits from HEW, and all the rest of that.

But so far there are not the financial incentives for these institutions to comply with the law, to develop innovative programs themselves. That is one way in which we would like to see the Women's Educational Equity Act we formulated, so that we can begin to provide these kinds of incentives for change.

Mr. MILLER. In the testimony, your prepared testimony, page 2, the old question of textbooks comes up again. You talk about who is pictured in what occupational roles and who is not. Are you talking about those are the textbooks you found in the schools today, or is that indicative of textbooks that are coming off the press? One is understandable, but the other is not.

Ms. KNOX. Some of the new textbooks are improving. A lot of them have a long way to go. But you have to keep in mind that textbooks get used for years and years in the classroom. So that a textbook that was published 5 years ago is still in very broad use.

Mr. MILLER. I understand, but I also understand some substantial problems in the school districts, especially what they have to pay for textbooks, which may be a question all its own—but why that book may still be there after 3 or 4 years, because it was on order and already printed.

But in terms of new books being ordered as replacements, I don't think if this was typical, that that certainly would not be understandable, I don't think, by members of this committee, given what the law in fact is.

Ms. KNOX. Of course, HEW has interpreted the law not to cover textbooks. But as far as I can tell from people who are keeping an eye on those textbooks, there are beginning to be some changes but there is still a lot of stereotyping.

Mr. MILLER. Thank you.

Mr. KILDEE. Does the distinguished gentleman from Pennsylvania, Mr. Goodling, have questions?

Mr. GOODLING. I guess my first question would be rather facetious.

Dr. Fuller, how do you get to represent the National Advisory Council of Women's Education?

Dr. FULLER. I think it is probably an important question. The specific answer is it was my turn. I think the council has certainly been better at dealing with its minority members, the men on it, than the men usually are in dealing with the token women in other groups. We have been made to feel very much a part of that group, and work with it.

The real issue that is illustrated is that this is not a problem only of women. It is a problem that impacts most obviously on women. The men should begin to realize that we, too, have been limited in what we were told we could do, and what kind of people we were told we could be because of the stereotyping and the bias that has existed.

The boys and the men are going to benefit as we break down some of these old barriers, and those old stereotypes, just as the girls and the women benefit.

Mr. GOODLING. You mentioned—and I am not sure that I took this down just the way you mentioned it—something to the effect that all educational programs should reflect an awareness of sex bias. Could you explain just what you have in mind?

Dr. FULLER. Our sense is that when you are teaching all kinds of subjects, and when you are dealing with all kinds of problems, you are almost always dealing with both boys and girls, or both men and women, and many of the biases, many of the stereotypes have been reinforced by so many of the other signals we give in schools in textbooks, in examples, in who the people are who are doing the teaching, or doing the administering. It is a very complex web.

We have been identifying just recently, for example, in some of the newer materials coming out dealing with problems of the handicapped, again you find a different set of standards dealing with men and women, and what is going to be the goal for achievement, the appropriate resolution of help for people with special problems.

Sex discrimination has just seemed natural to people. It is going to take a while before we end such stereotyping. We think every program that the Federal Government supports, must help combat sexism in education. Certainly, one should be careful that you are not with Federal funds reinforcing some of those same old patterns which are really contrary to public policy and law now, and which we are trying to reform through specific programs like the Women's Educational Equity Act.

Mr. GOODLING. Dr. Duval, I suppose—I think it was mentioned on this end—that of course it has only been an 11-month program and so on. Are you in a position to evaluate at all the programs that you list, for instance, in your testimony?

Dr. DUVAL. We are able to in terms of the first evidence we have reviewed such as videotapes that have been made by projects and printed material. I have here for example material from a project of the Commonwealth of Puerto Rico which looks to be very good material put in the hands of elementary teachers.

The staff have visited and monitored some projects. There are reports they are progressing on their own timetables, that they are accomplishing their objectives.

We have had now a series of meetings with project directors convened in various parts of the country. The directors report to us that they are getting the support of the agency, grantee, institution or organization.

They themselves are receiving many requests for information on what you are doing, such as: "Can you send us your proposal?" "Can you send us reports on your projects because we want to try to duplicate them?"

From those signs, and from the tangible audio-visual and printed materials that we are reviewing in the Office of Education, it appears that there is considerable success, and we can anticipate good results.

Mr. GOODLING. In changing the attitudes?

Dr. DUVAL. The test will be in the utilization. We would hope that the tests would reveal that the subjects, so to speak, who are involved in field testing, trying out for validation purposes these materials, would show that changes have taken place.

That validation is a long process, and we don't have the results as yet. So that right now I certainly am positive that we are producing some good things out there, and yet I certainly cannot go on record and say we are going to be 80 percent effective or 90 percent effective.

We have already issued this year out of 1977 funds a major disseminations contract, which I don't know if the Coalition is familiar with, because it was just signed last week. Part of that contract will be the convening of panels of experts to examine the products as they are completed, examine the data, to judge their worthiness to be disseminated.

Again, we don't want to, so to speak, flood the market. We know there is a market out there, but it could be very easy to place things in the hands of women's groups, organizational groups, community groups, school groups, that are not really able to do what they say they are able to do.

So, we are trying to keep a control on for effectiveness, also.

Mr. GOODLING. Ms. Knox, Mr. Miller touched on this—I am assuming that you are suggesting that as new series come in, the textbooks should show a change. Or are you advocating that when you are replacing 20 of 500 textbooks, you would throw out the 480, and buy 500 new?

Ms. KNOX. Am I advocating burning books? No; but in the meantime, those books are being used. We need more materials that teachers can use and kids can use to go with those textbooks. You can take a sexist textbook and make students use it to make students aware of the kind of sexism that they are unconsciously absorbing.

So sometimes sexist materials can be very useful teaching techniques. Teachers have to know how to use those materials that way. They have to be trained. They need supplemental materials and so on. There are a lot of things that can be done in the meantime, while we are waiting for the millenium to come and the publishers to see the light and the old books replaced.

Mr. GOODLING. Which really goes back to it all depends on who it is that is in front of the classroom.

Ms. KNOX. Yes.

Mr. GOODLING. You know, one of the surprising things about this whole thing is that in 23 years in education, the worst discrimination that I ever saw during the first 20 years was the discrimination against a male teacher teaching in the primary grades. It still goes on. The people who were most adamant against it were the female teachers. This sort of presents you with a picture.

The first male teacher I had was in the 7th grade, for instance. The women must have done a lousy job, because they had a captive audience for at least the first 4 years, 5 years, and it wasn't too long ago the first 6 or 7 years.

It is just difficult to understand. Again, I think it goes back simply to the community gets what the community wants. It is the same in athletics. All the administrators used to be the guy who came in and coached, gave 100 extra hours a week, with no pay, coached all the male sports, chaparoned the dances, et cetera, so he became the principal, and also the superintendent.

That is what the community wanted. They are only beginning to change their ideas. I have a feeling that the community will get what the community wants.

When I first became an administrator, of course it was the same story. Everything was geared towards male athletes by the old administrators. But it didn't take us long to change that. For the last 15 years there have been six or seven interscholastic sports for women in all of the 14 or 15 schools, for instance, in York County.

We are just now moving. I would hope you told the young lady in West Virginia to go out for boys sports, and get a lot of her friends to go out, and it will break it up in a hurry. My daughter pulled that trick.

I think in title IX, again, in all of the sex stereotyping, whether it be nursing books that certainly discriminate against male nurses, or home economic books which discriminate against men, it is going to be what the community wants. The pressure, I think, is going to come, no matter what legislation we may pass—we can help with the education, but the pressure is going to come from that local community.

It is beginning to come, and I think we will see the results.

Ms. KNOX. That doesn't happen all by itself.

Mr. GOODLING. I hoped the textbooks would be different than when we got into the change of the racial textbooks. The books are the same, but now you see a Spanish individual on one page and then a black person on the next page—but the book is still the same. We just changed some coloring of the pictures.

So, I think basically what I am saying is I think if you can particularly educate the public, because they pay the taxes and pretty well demand what it is that happens in that school district.

Ms. KNOX. Right, to bring it back to this program, there are things that this program could do, lots of things, to help educate the public. The Civil Rights Office has really fallen down on its job to educate the public by the law. But some of that could be done thorugh this program.

This program could fund films, television programming, and campaigns, a lot of different things to reach just folks with kids in the schools. Because a lot of parents don't know what is really going on in the schools. A lot of parents don't know.

Mr. GOODLING. Particularly if they depend on their children who are teenagers to tell them.

Ms. KNOX. Yes. As Jon was saying, a lot of discrimination is subtle enough, or we are so used to it that people just don't see it, and they don't ralize that their daughter is being kept out of activities that the boys have—unless their daughter is smart enough to realize that and tells them.

So, people need to understand about the kinds of things that are happening in their schools that they aren't aware of, and they need to know that a lot of these things are against the law, and there are things they can do, citizens and parents, to get changes in their school systems.

But, that can be helped along with money and with sources and materials.

Mr. GOODLING. I have no further questions.

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Mr. KILDEE. All right.

Mr. Weiss.

Mr. WEISS. I have no questons.

Mr. KILDEE. Mr. Cross.

Mr. CROSS. Thank you, Mr. Chairman.

Following up on a couple of points, both Mr. Goodling and Mr. Fuller talked about the extent to which it is really not just a discrimination program related to women, but something that involves across the board. What would you think of a change in the name of the act to make it more reflective of that, and to perhaps build some stronger base for it?

Ms. KNOX. Do you have a suggestion, Chris?

Mr. CROSS. Yes. Something like Sex Discrimination and Education Act, something of that sort.

Ms. KNOX. Well, I guess I have a sort of conservative reaction to the idea of changing the name just because people are getting used to it and they know it by that now. I think if you could get a name that really communicated that the program is working to free up things for everybody, working to bring about changes in the way people are perceived and treated because of their sex—I would like to think about it. I would like to bounce that idea off some of our organizations.

Mr. CROSS. I would ask that you do, because I think you might find it would serve a number of useful purposes.

Ms. KNOX. Yes, I think that is right.

Mr. CROSS. Let me ask in terms of the vocational education study that was passed in the amendments of last year, will the Council or the Office have any role in terms of advising on that study?

Dr. FULLER. We have been in communication with the people in the Office of Education about it, we have made suggestions, and certainly when public documents are available, we will be looking at them carefully and making further comments.

Yes, vocational education is one of the aspects which we have been monitoring very closely, and we have also been in communication with the Advisory Committee on Vocational Education to be sure that we were making them aware of some of those concerns, and they have begun to stop reinforcing those old patterns and begun to be helpful on this issue, too.

Mr. GOODLING. How about Women's and Men's Educational Equity Act?

Ms. KNOX. Another problem with the title is not only that it communicates it is only for women, but a lot of people think of adult when they see the term woman. A lot of people do not understand a lot of the purpose of the program is for girls and boys, for kids. So we ought to take that into consideration, too. Perhaps the Everybody's Educational Equity Act.

Dr. DUVAL. I would just like to add that in writing our first regulation we had to define women as including girls and men as including boys.

Mr. CROSS. Do you happen to know in the preparation of the Commissioner's materials for OMB where he ranked Women's Educational Equity among the 120 programs in OE in the zero base budgeting?

Dr. DUVAL. No, I do not.

Mr. CROSS. Maybe we will ask them to respond to that. It will be interesting to see.

Ms. KNOX, you indicated you thought a couple of times HEW had been derelict in publicizing the program. Do you think it has been any worse than any of their other activities in the Office for Civil Rights?

Ms. KNOX. I was talking about their publicity or lack of it for title IX, not this program in particular, although I think there needs to be more publicity about the program.

Has it been worse? Well——

Ms. DUNKLE. I think rather than comparing it to other programs, it is perhaps more appropriate to compare it to the need for publicity and public knowledge about the program, the type of discrimination which it is designed to eliminate. And I think compared to that need, there is a very big gap.

Mr. CROSS. I think in fairness to the Department that you have to look at, No. 1, the tremendous load that the Office for Civil Rights has. They are under more court orders than we can count. And second, the Congress keeps cutting back departmental budgets for public information, saying that they do too much of it. The White House is now going after all the agencies in terms of how much money they are putting into filming and that sort of thing. So I think it is incumbent upon groups like your own to do some education about the need for departments to engage in public information. I do not think it is probably really a function of the Office for Civil Rights, given their enforcement burdens, but more a function of some other unit, perhaps OE, to do it as a public information thing, just as they do with the basic grants program.

Ms. KNOX. Yes.

Mr. CROSS. Does the Council or the Office get involved in looking at the title IV technical assistance centers? Have you been involved in things like awarding grants for those new centers which I believe were only awarded last year for the first time?

Dr. DUVAL. We have had very little official contact with title IV. That is administered, of course, in the regions. Our office has a specific regional contact in each of the 10 regions. Last year after the funding we asked our regional people to give us a list of what was funded. That is the only relationship we have. We are trying to get copies of materials as they are developed so as to avoid duplication of effort with our funds. But it is not a formalized systematic approach.

Mr. CROSS. Will the Council look into the centers?

Dr. FULLER. The Council has been looking at title IV and collecting information about what is being done, particularly in some of the very small number of the projects which are specifically identified as aimed at sex discrimination. We think we can identify 10 this year out of about 200 projects. There is a potential area of duplication, which we are trying to make sure does not happen. But even more, we would like to see more emphasis put on that aspect of discrimination within the total context of title IV.

The fact about title IV is that it has a history, the people concerned with it are committed to the other kinds of discrimina-

tion that it was originally aimed at, and it is very difficult to include anything new. They feel that they are strapped to take care of a very important problem and it continues to be a very important problem. And they do not want to have something more added that they think might dilute what they are doing with a good cause.

Dr. DUVAL. If I could add one thing. Although there is no formal systematic internal relationship, a number of the general assistance centers and the institutes apply to us for funds. They also, the general assistance centers, have acquired subcontracts under our title IX, national regional training workshops. So that in that way we are working with the clients of the OE's title IV. We are not working directly with OE title IV.

Mr. CROSS. I wonder if we could have submitted for the record the information on the budget of the Advisory Council—how much it is, what the categories of spending are—because I think Advisory Councils are something that will be of interest to the committee.

Dr. FULLER. We will see that is provided for the record.

[The following information was submitted:]

BUDGET FY 1977 (ESTIMATES) (12 Months)

Staff Salaries (GG 18, 12, 12, 12, 11, 6, 5)	144,897.09
Council and committee meetings (travel and salaries)	73,001.02
Members travel and salaries for other Council business	8,636.00
General office operation and equipment	16,700.00
Printing of reports (minimum of 9 reports)	18,250.00
Dissemination activities	7,300.00
Site Visits	5,402.00
National Conferences (travel and salaries)	3,772.00
Contracts/consultants Projects include: WEEA Evaluation and Technical Assistance; Community Colleges and Displaced Homemakers; Title IX Implementation Outside HEW; Educational Needs of Indian Women and Girls	22,341.89
Total	$300,300.00

Mr. CROSS. Outside of HEW there are a lot of enforcement and educational things going on—EEOC, the Women's Bureau of the Labor Department. And I am sure there are many other things which none of us is as aware of as you are.

What sort of coordination is there in all of these efforts?

Dr. FULLER. Well, in terms of the Council several of its ex officio members are drawn from some of those units that you mentioned. The Women's Bureau of the Labor Department has a member on the Council, the Commission on Civil Rights, and the women's programs for the Department of HEW, all are ex officio members of the Council but the Office for Civil Rights does not. That has given

us some simple automatic coordination of what is going on and what those concerns are, because there is a person from those units sitting with us whenever we talk about these issues.

Mr. CROSS. But in terms of program, your silence leads me to believe there is not a lot of cooperation or coordination.

Dr. DUVAL. No; we coordinate most closely with the National Institute of Education, our counterpart in the Education Division. We also are invited to and for reasons I will not bother to get into at the present time have not been able to accept the invitation to a recently—it is 6 or 7 months old, I believe—organized group of women from various Federal agencies who meet maybe once a month in an attempt to explore what is going on in those various agencies, in an attempt not to duplicate efforts.

We also have issued, with 1976 funds, a very small purchase order to have a woman who has great expertise in this area survey relevant Federal agencies to find out what they in fact are doing in terms of women and particularly women in educational equity. That report is not available at the present time. It is still being developed. So that in that way we are able to understand what is going on.

We have a working relationship with the National Science Foundation. They do fund a number of things in terms of women in science and women in mathematics.

Mr. CROSS. One final question. The Education Amendments last fall contained a provision allowing HEW to operate a day-care center or day-care centers, I believe. You might want to submit this for the record. Do you have information as to what has happened in the implementation of that amendment?

Dr. DUVAL. I have to admit total ignorance of what is happening with that amendment.

Mr. CROSS. Are you familiar with the amendment?

Dr. DUVAL. No, I am not.

Mr. CROSS. Ms. Knox, are you familiar with that?

Ms. KNOX. No, I don't know what is being done.

Mr. CROSS. I would ask perhaps if we could find out about that. It was a very controversial issue at the last part of the Congress.

[The following information was submitted:]

The Department of Health, Education, and Welfare has moved to implement the provisions of Section 524 of the Education Amendments of 1976 (P.L. 94-482). Two centers one for Parklawn and the other for HEW Headquarters in the North Building are being readied for operation by September, 1977. An additional Day Care Center is in operation in Federal Office Building #6 (The Office of Education).

The following memorandum from the Assistant Secretary to the agency Heads and Regional Directors establishes the policies and procedures for the administration of Section 524.

Heads of POCs
Regional Directors

Assistant Secretary for
Management and Budget

Departmental Day Care Centers

A delegation of authority from the Secretary was made to you on March 29 regarding the implementation of Section 524 of the Education Amendments of 1976 (Public Law 94-482), relative to establishing Departmental day care centers. That section and the Assistant General Counsel's interpretation are attached for your quick reference.

The following are to serve as instructions for the effective implementation of Section 524:

1. Day care centers that are established in buildings occupied by HEW are the responsibility of those employees for whose benefit they are operated. These day care centers are not Departmental activities, or even quasi-Departmental activities such as recreation associations and other so-called non-appropriated fund activities. The function of the Department is that of assisting in the establishment and operation of the day care centers; the Department assumes no tort liability with respect to them and only such contractual responsibility as is authorized by statute.

2. In view of the potential tort and contract liability of the employee beneficiaries of day care centers, it is essential that such employee beneficiaries be incorporated as non-profit corporations, with the authority to enter into agreements with the Department and the authority to sue and to be sued in the name

of the corporation. Incorporation would also serve to insulate the employees themselves against personal liability and may be an essential prerequisite to the securing of such insurance and bonding as is called for and such State licenses as may be required.

3. The day care centers authorized by Section 524 of P.L. 94-482 are those that are intended to serve children who are members of households of employees of the Department. The statute deals, however, in terms of fees that are chargeable against not only Departmental employees but also others who are beneficiaries of services provided by such facilities. This contemplates the use of the day care centers by other children, such as members of households of employees of other Federal agencies, who would be authorized to use the facilities on a space available basis, primarily to assist in making the particular day care center a viable operation.

4. Section 524 of P.L. 94-482 expressly prohibits the use of appropriated funds for equipping or operating such day care centers, although it does authorize the acceptance of donations for such a purpose and for the purchase of initial equipment subject to reimbursement for the cost thereof over the expected life of such equipment or 10 years, whichever is less. There is no authority for the Government to pay for necessary supplies, although utility services may be provided on a reimbursable basis. There is no direct prohibition against the use of appropriated funds for alterations necessary for the establishment of a day care center, and appropriated funds may be used to pay the standard level user charge to GSA. The cost of such alterations, particularly in relation to the number of employees to be served, should, however, be taken into account in determining whether to approve the establishment of a particular day care center. In the case of rented buildings, that consideration should extend to the possible cost of the restoration of the facilities. No specific formula is available to determine how much money would be made available for such a purpose; that is merely one of the many factors to be considered in

determining whether to approve a specific day care center operation. The acquisition of additional space should not normally be sought merely for the purpose of making it available for day care purposes.

5. The establishment of day care centers is not mandatory, and whether to approve them should be a basis of judgment applied on a case-by-case basis. An essential prerequisite to entering into an agreement with a day care center organization is a determination of the legal and financial responsibility of that organization. Its legal responsibility rests primarily on its being incorporated and being in possession of applicable State licenses. Its financial responsibility depends primarily on its financial backing, including its possible eligibility for payments under Title XX of the Social Security Act, and employee interest, particularly in light of its contemplated fee schedule. The day care center organization's proposed plan of operation, including its contemplated membership and operating details, must be examined carefully in relation to its fee schedule, its payment schedule to the Department for the cost of its initial equipment, the cost of special services and utility consumption, the cost of meeting its bonding and licensing requirements, and its operating costs and possible reserve for liabilities. Finally, the day care center organization's license for use of space should be approved only if its proposed plan of operation is deemed to be a sound and viable one.

6. The standards by the Department for the operation of such day care centers have not yet been set. As a minimum, the day care center should comply with State and local requirements, and the applicable provisions of the current Life Safety Code with respect to day care centers. The employee/parent groups should be familiar with the Federal requirements and their use as a model for quality care for children. The Federal Interagency Day Care Requirements of 1968 are now being reviewed, and the appropriateness of such standards and other similar standards will be carefully considered by the Department.

John D. Young

Attachments

Prepared by: OASMB:DASM:JBermudez:ms 5/26/77 472-3107

Mr. CROSS. Thank you, Mr. Chairman.

Mr. KILDEE. The chair recognizes Mr. Jennings.

Mr. JENNINGS. I would just like to reiterate what Congressman Goodling and Mr. Cross mentioned about the title of the act. It might be useful if the title were reconsidered so that people did not have the idea that the only thing you were trying to address were the stereotypes which are present with women, because it is clearly true there are stereotypes present with both sexes, and it is going to be a two-way job, not a one-way job.

I would like to ask this of Dr. Duval. I realize it is only the first year of the program, and therefore it is difficult to get a true grasp on where you are going with the program. But as I understand it, you have about 67 grants which have been made and a handful of contracts which have been made. Of these grants, as I understand your statement, your primary emphasis has been upon the development of materials, not necessarily the dissemination of materials or training activities. Is that correct?

Dr. DUVAL. Well, $1.8 million was allocated last year for the development of materials, tangible products.

Mr. JENNINGS. That was of an appropriation of $2.3 million?

Dr. DUVAL. Well, in terms of the grant fund available, we had $4.3 million; roughly $1.8 million was specifically identified for the development of materials. The second priority was in the area of educational leadership. A number of those projects, which were very highly rated, also developed materials focusing in the area of educational leadership.

Mr. JENNINGS. How much was spent on the second priority?

Dr. DUVAL. Actually only about $0.9 million. We did not receive as many applications in that area as we wanted. In expanding career options for women, it was roughly $1.6 million, about equal to the modules. There we hoped to get into some model programs, which we did.

Mr. JENNINGS. Were most of those module programs what you call your small grants?

Dr. DUVAL. No, I am not talking about small grants at all. I am talking only about the general grants.

Mr. JENNINGS. So your primary emphasis, then, almost 60 percent of your money was on the development of materials?

Dr. DUVAL. I would say it came out that way.

Mr. JENNINGS. Do you anticipate that this will be your pattern in the future?

Dr. DUVAL. We did not identify priorities for this second year of operation. We are hoping that we will receive a different emphasis from the field in terms of needs that they identify. Since we are still in the process, I cannot give you a report on what in fact we did receive.

Mr. JENNINGS. How would you respond to the criticisms that there has not been enough dissemination of the materials which have been developed?

Dr. DUVAL. No. 1, under our program there have been no materials developed with the exception of title IX, and we are spending close to a third-of-a-million dollars to disseminate those, to develop and disseminate the materials that, under WEEA, are now ready

for dissemination. And we are not inclined to set up a dissemination scheme or network for materials that are developed without any input in terms of whether or not they are valuable. We would not know what to disseminate.

We have, as I indicated previously, just signed a dissemination contract for this year and would hope that some of the one-year-only, single-year grant products would be ready to be disseminated and disseminated in terms of diffusion, not just letting people become aware that they exist, but also developing strategies for their utilization.

One that I know is going to be ready for use is referred to in my opening statement; it is the films for pre-school parents and teachers, developed by the Women's Action Alliance. That is ready after one year of funding because the Women's Action Alliance has been working on developing materials in this area for a couple of years, so they used our funds to bring to culmination a part of their activities. I have seen the films myself. I am sure they are going to be purchased and hopefully viewed even on television.

Mr. JENNINGS. Why are you developing these materials instead of other parts of HEW, such as the Office for Civil Rights?

Dr. DUVAL. I don't know that the Office for Civil Rights has any funds for developing materials. I don't know that they have the staff capability, whether or not they are enforcement-oriented as opposed to having some identification with the educational community.

Our legislation certainly permits us to develop materials and to disseminate materials.

Mr. JENNINGS. Have you reviewed the materials which OCR has developed and distributed on Title IX enforcement?

Dr. DUVAL. Only the few materials that they have developed in terms of I think physical education, and they developed internal materials, guidelines.

Ms. KNOX. They don't even disseminate what their own policy rulings are under title IX.

Ms. DUNKLE. They published a memorandum in September of 1975 on athletic coverage under title IX, clarifying some issues. But except for that, and since then, there has been nothing.

Mr. JENNINGS. Is it fair to say that the primary emphasis on the uses of your funds have been to help to implement title IX?

Dr. DUVAL. I do not believe so. We view our legislation as being much more encompassing. We are able to move into the area of textbooks, hidden curriculum, attitude awareness. We can go far beyond title IX in terms of what we can develop and provide for use.

Mr. JENNINGS. But in terms of your funding patterns, is the bulk of your money used for title IX related activities?

Dr. DUVAL. No. One contract—the original development of the materials was developed under administrative funds from OE before we had any funds under the Women's Educational Equity Act. We distributed and disseminated those materials with WEEA funds for $156,000. We issued a contract to the Council of Chief State School Officers with our funds in the neighborhood of $546,287 for the national and regional training workshops and continued devel-

opment of materials. Those are the only funds we have spent directly on title IX efforts.

Mr. JENNINGS. Do you receive a check-off or an approval from the Office for Civil Rights with your Title IX materials or your training materials?

Dr. DUVAL. The Office for Civil Rights sits on the Contractors Advisory Committe and saw every piece of material as it was in process and as it was completed.

Mr. JENNINGS. On the first or second page of your statement, you refer to the first need which was discerned from the field was for a network of communications. What do you mean by that? For the establishment of such a network.

Dr. DUVAL. Yes. There is no one place where any one person, organization, agency or institution can acquire information on what is being developed either in the nature of projects that are being conducted in classrooms, projects that are being conducted by women's groups in relation to schools, projects that are being conducted by communities, research that is being conducted in the area of sex role stereotyping and sex role socialization. So that in order to have a national network, really it is a communication network, two-way flow, hopefully, we hope to be able to gather together in an ERIC type system, without duplicating ERIC, this information, make it available, and particularly make it available to the users, not just the researchers.

Mr. JENNINGS. Thank you. If I can ask two questions of Dr. Fuller. These are my last two questions.

Mr. KILDEE. We have a record rollcall in the House. I will let counsel recess the hearings. I want to thank you for your very excellent testimony on a very important subject.

Mr. JENNINGS. Dr. Fuller, how many members are on the National Advisory Council?

Dr. FULLER. It is a 20-person council. There is one vacancy currently.

Mr. JENNINGS. And how many men are represented on the Council?

Dr. FULLER. There are now two men on the Council. The vacancy was the third man, who has been appointed the Commissioner of Education.

Mr. JENNINGS. Why are there only two men out of 20 on the Council?

Dr. FULLER. Those were the people who were nominated by the President. When the Council was originally appointed, there were four. In the first set of new appointments, I had a one-year term and was reappointed. But one of the members with a one-year term was not. That brought us down to three. We have communicated our interest to the White House in having more men and particularly in having more students and more representatives of elementary and secondary education. Whether they will follow through on that, I do not know.

Mr. JENNINGS. Has the Advisory Council considered a legislative recommendation that the membership on the Council be evenly divided between men and women?

Dr. FULLER. No, we have not. We think it is however necessary to be sure that you have a variety of qualifications and try to communicate that. I think trying to say it has to be arbitrarily 50-50 would make it a model council, most of then are biased the other way, as you know.

Mr. JENNINGS. That is interesting, because the National Advisory Council in conjunction with the Coalition for Women was very forceful in presenting testimony to the committee on the Vocational Education Amendments recommending that the Advisory Councils, whether at the national, State, or local level, be equally divided between men and women. And yet it seems when it comes to the Advisory Council for the women's program, there does not seem to be that same type of interest.

Dr. FULLER. I think we would be happy if the appointments came out that way.

Mr. JENNINGS. If it came out that way—maybe it would be proper to make a legislative recommendation along those lines.

Dr. FULLER. That is an interesting suggestion.

Mr. JENNINGS. The other question I have has to do with the budget. What is the budget figure for the National Advisory Council?

Dr. FULLER. $300,300 for this year.

Mr. JENNINGS. And what was it last year?

Dr. FULLER. I can provide that for the record, but I cannot answer the question right now. That was the confusing year with the fifth quarter.

[The following information was submitted']

national advisory council on women's educational programs

1832 M St. N.W.
Washington, D.C. 20036
(202) 653-5846

EXPENDITURES FY 1976 (15 Months)

Staff Salaries	$103,063.00
GG 18 - hired 10/75 GG 15 - hired 3/76 GG 11 - hired 6/76 (half-time) GG 9 - hired 7/75 (half-time) GG 9 - hired 6/76 GG 6 - hired 12/75 GG 5 - hired 4/76	
Council and Committee meetings (travel and salaries)	90,835.00
General operation of office and equipment	15,417.00
Special Projects: Rural Women Report	20,045.00
WEEA Evaluation	38,296.00
Women's Studies Report	25,000.00
Education Division Review	37,686.00
Editorial and graphics contracts for above	27,520.00
Other (attendance at national conferences, rental of conference space, members travel and salaries on Council businesses, etc.)	8,400.00
Total	$366,262.00

Mary Beth Peters, Pittsburgh, PA, chair
Marguerite Selden, Washington, D.C., vice chair

Joy R. Simonson, executive director

Mary Allen, Valley Center, KS
Katherine Burgum, Fargo, ND
Anne Campbell, Lincoln, NB
Joanne Carlson, Eugene, OR
Marjorie Bell Chambers, Denver, CO
Agnes I. Chan, San Francisco, CA
Agnes M. Dill, Isleta, NM
Elizabeth Z. Fryer, Brentwood, TN
Jon Fuller, Ann Arbor, MI
Thora C. Johnson, Ogden, UT
Sister Joyce Rowland, Winona, MN
Bernice Sandler, Silver Spring, MD
Theresa Aragon de Shapiro, Seattle, WA
Gerald E. Weaver, Columbus, MS

EX OFFICIO MEMBERS
Director, U.S. Commission on Civil Rights; Director, Women's Bureau, U.S. Department of Labor; Director, Women's Action Program, U.S. Department of Health, Education and Welfare

Mr. JENNINGS. If I remember correctly, the National Advisory Council for the Women's Educational Equity Act had the largest budget of any national advisory council created by the Congress in the field of education, and if not the largest, then the second largest budget. And yet the appropriation for the program which it was supposed to oversee is only about $7 million. The next largest budget I believe was for the Vocational Educational Advisory Council. That program which it was to oversee was approximately $600 million. And the next one I believe was the Title I Advisory Council, and the program that was to oversee was approximately $2.3 billion.

I wonder why the National Advisory Council for this program should have a budget which puts it at the top or second from the top in terms of total dollars made available for national advisory councils.

Dr. FULLER. It is actually second. The Vocational Educational Council does have a higher appropriation than we have.

Mr. JENNINGS. Why should this Council have an appropriation which is second highest among all the educational advisory councils when its primary responsibility is to oversee a program which ranks as one of the lowest in terms of appropriations?

Dr. FULLER. That is only one of the Council's many responsibilities. Another, which certainly has equal status in the law, is to advise on educational equity for women for the Federal Government. We have taken that mandate very seriously and indeed most of the time and expenditures of the Council have really gone into trying to follow that side of our mandate. I think given the pervasiveness of sex bias and sex discrimination in the educational system, that it is very appropriate that a body like the Council, which has some of the freedoms that Federal employees do not always have to criticize what is going on, has that mandate and that opportunity, and has some staff resources to begin to at least in what seemed the highest priority areas to probe and ask questions and make appropriate suggestions about policies which often simply out of inadvertence reflect sex bias.

Mr. JENNINGS. How many staff people are hired out of this money?

Dr. FULLER. I believe we currently have six people on the staff.

Mr. JENNINGS. What is the rest of the money used for?

Dr. FULLER. Well, we will be providing a detailed breakdown of the budget at Mr. Cross' request. The staff salaries account for approximately half of the budget. The next largest unit would be simply the expenses of Council meetings which always include public sessions, meeting with members of the public, trying to both carry out a dissemination function about what is going on and also to hear about what problems are in the field. And the normal operating expenditures of the Council.

We have also had some contracts. One of the largest we have been pursuing has been this new review of sex discrimination generally in the Educational Division which is just being completed, and those reports will start coming to this committee in the next couple of weeks.

Mr. JENNINGS. How much is that contract for?

Dr. FULLER. We will have to provide that for the record. There are a series of contracts. It is a total of about $50,000. But I would have to check.

Mr. JENNINGS. Have you received any money in contracts or grants from any other Federal agency?

Dr. FULLER. No, we have not, and we have not sought those.

Mr. JENNINGS. All right. Thank you very much.

The hearing is adjourned until 9:30 Tuesday morning.

[Whereupon at 12:45 p.m. the hearing was adjourned to reconvene at 9:30 a.m., Tuesday, July 19, 1977.]

[Additional materials submitted for the record follow:]

national advisory council on women's educational programs

1832 M St. N.W.
Washington, D.C. 20036
(202) 653-5848

July 18, 1977

The Honorable Carl D. Perkins
Chairman
Subcommittee on Elementary,
Secondary and Vocational Education
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

During testimony before your subcommittee on Thursday, July 14, I agreed to provide for the record additional information about the activities of the National Advisory Council on Women's Educational Programs. Those materials are enclosed.

I appreciated the opportunity to appear before your subcommittee, and was pleased by the amount of time and attention which was given, despite the conflicting demands of the day's schedule, to the important issues of providing educational equity for women and girls.

Sincerely,

Jon W. Fuller

JWF:bc
Enclosures

Mary Beth Peters, Pittsburgh, PA, chair
Marguerite Selden, Washington, D.C., vice chair
Joy R. Simonson, executive director

Mary Allen, Lines Center, KS
Katherine Burgum, Fargo, ND
Anne Campbell, Lincoln, NB
Joanne Carlson, Eugene, OR
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EX OFFICIO MEMBERS
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national advisory council on women's educational programs

1832 M St. N.W.
Washington, D.C. 20036
(202) 653-5846

July 21, 1977

The Honorable Carl D. Perkins
Chairman
Subcommittee on Elementary,
Secondary and Vocational Education
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The enclosed materials are those specified in the covering letter sent you by Dr. Jon Fuller who testified before your committee on July 14, on behalf of the National Advisory Council on Women's Educational Programs. In accordance with the request made of us we submit the following items:

1. A summary of the Council's expenditures during fiscal year 1976 and budgeted expenditures for 1977.

2. The second annual report of the Council covering our activities during 1976.

3. The first special report prepared by the Council entitled "Educational Needs of Rural Women and Girls".

4. A newly published report of the first three meetings held by the Council away from Washington at which members of the public addressed the Council concerning issues of educational equity.

5. A packet of materials which illustrate the extensive work of the Council in connection with the development of regulations to implement Title II of the Educational Amendments of 1976. This packet includes three items:

   (a) A set of materials which the Council sent not only to some forty national organizations, which make up the National Coalition of Women and Girls in Education, but also to many groups around the country in an effort to facilitate their participation in this important process.

Mary Beth Peters, Pittsburgh, PA, chair
Marguerite Selden, Washington, D.C. vice-chair

Jay R. Simonson, executive director

Mary Allen Valley Center, KS
Katherine Burgum, Fargo, ND
Anna Campbell, Lincoln, NB
Joanne Carlson, Eugene, OR
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EX OFFICIO MEMBERS
Director, U.S. Commission on Civil Rights. Director, Women's Bureau, U.S. Department of Labor. Director, Women's Action Program, U.S. Department of Health, Education and Welfare

(b) An analysis of the comments which were received by the Office of Education on selective issues in the Notice of Intent to Issue Regulations.

(c) The Advisory Council's letter to the Commissioner of Education and the Council's comments on the provisional regulation. Our letter points out the discrepancies we observed between the public comments on the Notice of Intent and the content of the provisional regulation.

Additionally, the Council has been engaged in developing a series of reports covering various aspects of the Education Division of HEW. These reports will be published in the near future and will, of course, be shared with your Committee. We believe they will prove useful to officials in both the Executive and Legislative branches, as well as outside groups.

Another study, soon to be published, is a review of women's studies which was done for the Council by an eminent authority in this rapidly growing field, Professor Florence Howe. This report is not only of intense interest to college and university groups throughout the country, but contains a series of recommendations to Federal agencies.

All of these activities, of course, are in furtherance of our legislative mandate to advise the Assistant Secretary and the Congress concerning the provision of Educational Equity for Women and Girls.

Should there be any questions concerning the enclosed materials or other aspects of the Council's work, please advise us.

Sincerely,

Joy R. Simonson

Joy R. Simonson
Executive Director

Enclosures

cc: John F. Jennings
Christopher Cross

(Subcommittee comment: The aforementioned materials submitted by Dr. Fuller are retained in the Subcommittee files, with the exception of the second annual report, the text of which follows, and the council budgetary information, which is printed in the text of the hearing.)

95-243 O - 77 - 16

National Advisory Council on Women's Educational Programs

national advisory council
women's educational programs
Suite 821
1832 M St., N.W.
Washington, D.C. 20036
(202) 382-3082

February, 1977

The President
The White House
Washington, DC 20500

Dear Mr. President:

It is an honor to transmit this Second Annual Report of the National Advisory Council on Women's Educational Programs. In 1976, the first full year of Council existence, we have taken many steps under our Congressional mandate as specified in the Women's Educational Equity Act.

The Council has advised Federal education officials on matters relating to improvements in Federal policy which would help to secure educational equity for women and girls. We also advise the Congress when requested. We have focused particularly on matters relating to career and vocational education, civil rights in education, legislation affecting women and girls, and the role of women in policy making in the Education Division of the Department of Health, Education, and Welfare.

The massive problems of educational inequity which continue to face women and girls in the United States challenge all of us, in government and in the private sector, to greater efforts. The National Advisory Council on Women's Educational Programs looks forward to contributing to such efforts in partnership with the officials serving in your Administration.

We rely on your leadership on behalf of equity of educational opportunity for girls and boys, women and men, throughout the nation.

Respectfully submitted,

Bernice Sandler

Bernice Sandler
Chair

Bernice Sandler, Silver Spring, MD, chair
Mary Beth Peters, Pittsburgh, PA, vice chair

Joy R. Simonson, executive director
Rosemary G. Mylecraine, deputy director

Mary Allen, Valley Center, KS
Ernest Boyer, Albany, NY
Katherine Burgum, Fargo, ND
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EX OFFICIO MEMBERS

Chairman, U.S. Commission on Civil Rights; Director, Women's Bureau, U.S. Department of Labor; Director, Women's Action Program, U.S. Department of Health, Education, and Welfare

PATSY T. MINK
SECOND DISTRICT
HAWAII

COMMITTEE ON EDUCATION AND LABOR (ON LEAVE)
RELIEF SUBCOMMITTEE ON EDUCATION
GENERAL SUBCOMMITTEE ON EDUCATION
SUBCOMMITTEE ON EQUAL OPPORTUNITIES

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
SUBCOMMITTEE ON TERRITORIAL AND INSULAR AFFAIRS
SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION
SUBCOMMITTEE ON MINES AND MINING, CHAIRMAN

COMMITTEE ON THE BUDGET

Congress of the United States
House of Representatives
Washington, D.C. 20515

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January 31, 1977

Ms Bernice Sandler
Chair
National Advisory Council on
Women's Educational Programs
1832 M Street, N.W.
Washington, D.C. 20036

Dear Bernice:

When I introduced the Women's Educational Equity Act in 1972, my colleagues and I envisioned a program that would begin to alleviate the pervasive injustices traditionally suffered by women and girls in our educational system, and a National Advisory Council of dedicated lay persons who would endeavor to identify and eliminate the remaining inequities.

In its brief history, the WEEA program has launched this effort and more. It has acted as a catalyst to progressive action on the part of women throughout the country and as a focus for women's concerns. The National Advisory Council on Women's Educational Programs has exceeded all expectations of diligence and ingenuity and has performed a further inestimable service in reaching out to the women's community and helping to unite its various parts into a more cohesive and potent movement.

On the completion of the Council's first full year of operation, I extend congratulations on a job well begun and best wishes for continued success.

Sincerely,

Patsy T. Mink

Patsy T. Mink

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Origins of the National Advisory Council on Women's Educational Programs

In July 1973, the House Subcommittee on Equal Opportunities of the Committee on Education and Labor convened hearings on H.R. 208, the Women's Educational Equity Act, sponsored by Representative Patsy Mink, (D. HA.). The bill in the Senate was introduced by Senator Walter Mondale (D. MN.). Hearings on the bill in both Senate and House provided a forum for representatives of women's groups across the nation to testify to the pervasive patterns of injustice suffered by women and girls in American society in general and in the country's educational system in particular.

Congress saw the need to stimulate new public policies and programs which could assist women and girls to benefit from the same educational opportunities that are available to their brothers. In August 1974, the Women's Educational Equity Act (WEEA) was passed.

The Act was established to overcome sex bias in American education and to achieve educational equity for women. To help meet this ambitious goal, Congress mandated the formation of an Advisory Council on Women's Educational Programs.[1] The Council was established to advise the Assistant Secretary for Education and the Commissioner of Education with respect to broad issues of educational equity for women, as well as to advise on matters specifically relating to the Women's Educational Equity Act. The Council does not, however, administer the grants program under WEEA; that administration is done by the Women's Program Office in the U.S. Office of Education.

The twenty members of the Council include seventeen public members appointed by the President, subject to Senate confirmation, for overlapping three-year terms, and three ex-officio members: the Director of the Women's Action Program, U.S. Department of HEW; the Director of the Women's Bureau, U.S. Department of Labor; and the Chairman of the U.S. Commission on Civil Rights.

The Council first met in June, 1975. The terms of six members expired in May 1976 and replacements were nominated and confirmed in late September.

1. In 1976 amendments the Council was renamed National Advisory Council on Women's Educational programs (NACWEP).

Function and Organization of the Council

The major functions of the Advisory Council, as specified by Congress, are these:

- to advise the Commissioner of Education on the administration of the Women's Educational Equity Act, including recommendations about program priorities and the allocation and geographic distribution of funds;
- to evaluate the programs and projects assisted under the Act;
- to advise the Assistant Secretary for Education, with respect to the attainment of educational equity for women and girls;
- to make recommendations based on the Commissioner of Education's national review of sex discrimination in education;
- to report to the President and Congress;[2]
- to disseminate information concerning Council activities.[2]

In terms of priority, the Council decided to focus major attention on its broadest function: the attainment of educational equity. This decision reflected the conviction that the surest path to equity will be through "mainstreaming" women's concerns—striving to embody in *all* Federally-assisted education programs a sensitivity to and concern for the needs of women and girls. Additionally, the Council determined that it would attach high priority to the special educational needs of minority women, who have so often suffered from discrimination because of race or ethnicity as well as sex.

To carry out its responsibilities effectively, the Council organized itself into an Executive Committee and three standing committees and left latitude for the formation of special committees as needed.

The Executive Committee consists of the chairs of the standing committees, the Chair and Vice Chair of the Council and at-large members the Council Chair may appoint.

The Federal Policy and Practices Committee examines existing and proposed policies and practices of HEW and other Federal agencies in terms of their impact on women and girls.

The Legislation Committee evaluates existing and proposed legislation and regulations in terms of educational equity for women and girls.

The Program Committee analyzes policy matters specifically relating to the Women's Educational Equity Act, including geographic distribution of projects, criteria for program priorities and fund allocations. This Committee also oversees the Council's process evaluation of the WEEA Program.

In 1976 a Special Committee on Rural Women was established to implement the Council's project on the educational needs of rural women.

There were five Council meetings and 27 committee meetings in 1976. (See Appendix B for dates and places.) All were open to the public and many involved extensive public participation in the form of open hearings. These hearings provided opportunities for women's groups, individual women, educators and others interested in educational equity to bring their concerns to the Council. They also gave the Council members valuable firsthand information to supplement their own diverse backgrounds as a basis for their advice to HEW officials.

2. Added in Education Amendments of 1976. See Appendix I.

Activities of the Council

In 1976 NACWEP carried out its responsibilities in various ways: it advised the Assistant Secretary and the Commissioner on numerous issues—legislative, programmatic and administrative; communicated with organizations and individuals interested in educational equity throughout the nation; undertook inquiries into the educational needs of rural girls and women; initiated a review of the impact of HEW education programs on women; and began an evaluation of the first year's administration of the WEEA. Short descriptions of specific Council activities follow.

Women's Educational Equity Act

The Council developed and transmitted to the Commissioner its recommendations on criteria for program priorities and project selection under the Women's Educational Equity Act, as well as on the general allocation of funds. (The Council had no role in the selection of grantees or contractors, however.) These recommendations are included as Appendix C.

The Council also commented extensively on the issues raised in the "Notice of Intent to Publish a Regulation" for WEEA for Fiscal Year 1977, and repeatedly urged that simple, supplementary program guidelines be prepared to assist applicants for funding under WEEA. This recommendation stemmed from the Council's belief that the highly technical and complex language of the WEEA regulation puts laypersons at a disadvantage in competing with those individuals and institutions accustomed to deciphering Federal terminology.

Evaluation of WEEA Programs

To comply with its charge to evaluate the programs funded with the $6.2 million appropriated for WEEA, the Council engaged a contractor to undertake a two-phase assessment.

The first phase of the evaluation was completed in 1976. It analyzed implementation of the program by the Office of Education in terms of the intent of the law, and encompassed such aspects as:

1. To what extent have the regulations issued by OE reflected the law and its intent?
2. What process is being used for long-range planning to develop measureable objectives?
3. To what extent have women's groups been consulted in determination of program and funding priorities?
4. How has information about the program been disseminated to potential grantees and contractors?
5. How have grant and contract applications been reviewed and selected?
6. How have characteristics of funded projects compared with unfunded applications and with the need for educational equity?

The second phase of the evaluation, to be completed in 1977, will examine actual project implementation to determine:

1. How adequate and appropriate are OE procedures for technical assistance, monitoring and evaluation of grants and contracts?
2. What is the likelihood that efforts funded under WEEA will achieve the intent of the law?

The Council expects that findings and recommendations from its evaluation will be used not only by the Office of Education to improve its administration of the program, but also by the Congress when it reviews the legislation.

Review of HEW's Education Division

Throughout 1976, the Council has placed major emphasis on a review of policies and practices of HEW's Education Division, the entity which administers the bulk of Federally-assisted programs for the nation's educational institutions.

This study is gathering specific information to determine how the various programs and units foster—or hinder—the attainment of educational equity for girls and women. Included in the review are the Office of Education, the National Institute of Education, the National Center for Education Statistics and the Fund for Improvement of Post Secondary Education. Major areas being addressed are:

1. Do programs have a different impact on girls and women than they do on boys and men?
2. How many women participate in management and policy development?

3. What efforts are made to assure sex fairness in disbursing and using Federal funds?
4. How sex fair are communications, products and dissemination strategies?
5. How are programs of special concern to women coordinated within and across governmental agencies, and within and across regions and states?
6. What changes are necessary in legislation, regulations and enforcement to eliminate sex discrimination, sex bias and sex-role stereotyping?

This review is being conducted as a cooperative venture with the Education Division. In the first phase more than 50 key officials were interviewed by Council representatives. For the second phase, each major unit has designated resource persons who are assisting Council representatives in refining issues to be addressed, suggesting priorities for concentration, identifying data sources, assessing feasibility of recommended actions and timetables, and commenting on draft reports.

The product of this review will be a series of six reports to be issued in 1977. The Council expects that the findings and recommendations of these reports will provide substantive guidance for implementing sex-fair policies and practices in education at all levels—national, regional, state and local.

Vocational Education

The Council early designated vocational education a priority area for its attention. Initial efforts focused on the revision of Federal vocational legislation then being considered in the Congress. Analyses of the Senate and House bills as they affected women and girls were prepared and disseminated to members of Congress and to national organizations concerned with women's issues. The legislation as finally enacted (Public Law 94-482 Title II) contains significant provisions for eliminating sex discrimination, bias and stereotyping in vocational education.

Following passage of the new law in October, Council representatives met with the Office of Education task force responsible for writing the new regulations to administer that law, and helped to define the issues needing to be addressed. The Council subsequently responded in writing to the formal "Notice of Intent to Issue Regulations" and provided suggestions about specific matters which the regulations should emphasize.

Then, through widespread dissemination of an information packet on provisions of the new law as they affected girls and women, the Council helped alert organizations concerned with women's issues to the public meetings scheduled in every state. These materials also were distributed to national and state Advisory Councils on Vocational Education and to state directors of vocational education, with the hope that demonstrated interest from consumers of vocational education would spur implementation of the law's intent. When field reports indicated that some of the initial state meetings were not responsive to participation by community representatives, the Council wrote to the Commissioner with suggestions for changes in format and tone of future public meetings.

In addition to activities connected with the revised legislation—which will take effect in Fiscal Year 1978—the Council made suggestions for Fiscal Year 1977 priorities for vocational education. The Office of Education adopted the Council's recommendation that elimination of sex stereotyping be included as a priority for research, as well as be incorporated as a requirement in all projects. While opting not to alter criteria for funding of demonstration project, OE made significant changes in its plans for evaluating those projects, based on Council suggestions.

Educational Equity for Rural Women and Girls

Since programs to help bring educational equity to rural women were under consideration as a possible priority group for funding under WEEA in Fiscal Year 1977, and since so little attention had been focused on the special educational needs of rural women and girls, the Council moved in early 1976 to establish a Special Committee on Rural Women. The Committee was charged to gather information as a basis for recommendations. After an initial report prepared for the Council indicated that very little was known about the educational needs of this population, the Committee then began a two-pronged investigation, commissioning a report on national public and private programs which have an impact on the education of rural women and girls, and convening four regional consultation sessions to obtain firsthand information not only from experts and educators, but especially from rural women themselves as to their needs and suggestions.

The sessions, located to ensure the greatest possible range and diversity of ideas, were held in the Midwest (Madison, Wisconsin); the San Joaquin Valley (Stockton, California); the Southwest (Santa Fe, New Mexico); and in Appalachia (Boone, North Carolina). Participants included women from most of the major clusters of rural population—farm, rural black, Native American and Native Alaskan, migrant, Spanish-origin, Appalchian and Asian-American—as well as representatives of a broad range of public and private organizations involved in rural programs in the areas of education and women's affairs.

From these consultations and its other investigatory work, the Council found that the 34 million rural women in this country constitute a neglected—and doubly disadvantaged—population in terms of educational equity. Rural educators and advocates for rural development have not focused specific attention on the needs of women and girls in their target population. And women's education advocates and providers have not been primarily concerned with the particular needs of rural women. Compounding this situation (and also unfortunately obscuring it) is the fact that the data which might spark such specific attention are almost non-existent: it is virtually impossible, for example, to determine from government statistics what impact a particular Federal education program may have had on rural, as opposed to urban, people or on women and girls as opposed to men and boys.

The resulting recommendations of the Advisory Council—encompassing the needs for a comprehensive Federal rural education policy, for a full program of Federal data collection, and for Federally-supported development of an education delivery system that truly meets the needs of women and girls in sparsely settled rural America—are included as Appendix D to this report.

Commissioner of Education's Report on Sex Discrimination in Education

The Women's Educational Equity Act directed the U.S. Commissioner of Education to conduct "a national, comprehensive review of sex discrimination in education," and to submit this report to the Council for review and for such recommendations as the Council deemed advisable. In May, 1976, a three-part document including reports on "Employment Practices," "Guidance and Counseling," and "Access to Postsecondary Education," was transmitted to the Council.

In the course of its extensive review of these reports, the Council concluded that they had not covered all aspects of education which are affected by sex discrimination and thus had not fulfilled the intent of Congress. In addition to analyzing the recommendations contained in the three documents, therefore, the Council will address itself to needs for additional data and research, and will propose both short-range and long-range priorities for Federal action when it reports to the Commissioner in 1977.

Meanwhile, recognizing the potential usefulness of the data and bibliographies included in the three reports, the Council has urged that they be released and that their availability be publicized so as to alert the general public as well as the education and research communities. In early 1977 the Council was notified that the reports had been put into the computer system of the Educational Resources Information Center (ERIC).

Review of Women's Studies Programs

One of the visible effects of the women's movement in recent years has been the proliferation of women's studies programs in colleges and universities throughout the United States. The Council was eager to determine some effects these programs are having, both on the students who take them and on the overall curriculum of the institutions which host them. The Council has commissioned a review of women's studies programs, seeking to learn:

1. How do women's studies affect the vocational goals and directions of the students and graduates?
2. How can women's studies programs function as a strategy for sensitizing and retooling teachers?
3. What are the strengths and weaknesses of various approaches and structures for such programs?
4. To what extent are these programs supported by the hosting institutions?
5. Are graduate courses needed in women's studies, and if so, of what design?

The Council review is based primarily on-site visits to women's studies programs at fifteen colleges and universities, which were selected to provide a diverse sample, with respect to geography, racial/ethnic background of student popula-

tion, age of program, size and type of institution, organization of the faculty within the program, and type of curriculum. The site visits were completed in 1976 and the final report will be available in mid-1977. On the basis of the study, the Council will develop recommendations for future Federal research and other policy issues.

Legislative Activities

Throughout 1976 the Council advised the Assistant Secretary for Education on several legislative measures.

- **Title IX, 1972 Amendments to the Higher Education Act of 1965** Under its general position of opposition to any amendments which would weaken Title IX, the Council urged HEW to oppose an amendment to exempt Girls' and Boys' Nation and State organizations from coverage of the law.[3] Similarly, the Council expressed opposition to amendments limiting enforcement of Title IX.[4] Noting public statements by two institutions of higher education that they would not comply with Title IX, the Council urged the Secretary of HEW to take vigorous enforcement action. And in a meeting with the Director of the Office for Civil Rights, the Council also stressed the need for greater enforcement efforts under this crucial law.
- **WEEA Appropriations** The Council testified before the Senate Committee on Appropriations and also worked with women's and civil rights groups to generate support for increased appropriations for the WEEA, and was gratified to see the appropriation increased from $6.2 million in FY 1976 to $7.2 million for FY 1977.
- **Functions of the Council** NACWEP recommended that its own authorizing legislation be broadened to include reporting to the President and Congress and disseminating information to the public on its activities. These and minor technical changes were incorporated in the Education Amendments of 1976.
- **Title IV, Civil Rights Act of 1964** This law, as amended in 1972, provides for technical assistance to school districts needing help to overcome race and sex discrimination. The Council testified for increased appropriations and requested earmarked funds for more personnel for sex discrimination work. Cooperating with minority and women's groups, which testified jointly in a significant new coalition, the Council extended its community outreach.

Career Education

The Council has been distressed at the pervasiveness of sex stereotyping in career education and has urged the Office of Education to accord priority to this issue. Results to date have not been encouraging. The Council regrets that only two of the 118 projects funded, during the fiscal year, with ten million dollars from the Office of Career Education focused on sex stereotyping. And, despite extensive Council effort, there was disappointingly little attention focused on sex bias and stereotyping in the Commissioner's Bicentennial Conference on Career Education in Houston in November.

3. This amendment passed as part of the Education Amendments of 1976.
4. Such an amendment also passed as part of the Education Amendments of 1976, although in its final form it was not viewed by women's groups as seriously limiting Title IX enforcement.

Members of the Council, December 1976. bottom row, l.r. Council members Marjorie Bell Chambers, Agnes L. Chan, Elizabeth Z. Fryer, Ann Fuller, Thera C. Johnson, Marguerite C. Selden. top row, l.r. Council members Bernice Sandler (Chair), Joanne Carlson, Agnes Dill, Sr. Joyce Rowland, Virginia Trotter, Assistant Secretary for Education, HEW, Edward Aguirre, Commissioner of Education. Council members Theresa de Shepro, Gerald Weaver, Katherine Burgum, Mary Beth Peters (Vice Chair), not present: Mary Allen, Ernest Boyer, Anne Campbell.

Outreach Activities of the Council

The Advisory Council has a deep interest in the views and problems of its primary constituency—the women and girls of the United States. Throughout 1976, in each of the Council's formal meetings held outside of Washington, a day was devoted to hearing from community organizations and individual women, along with state and local educators. Sex discrimination, stereotyping and many aspects of inequity were brought vividly before the Council in each of these sessions, as were innovative projects, state law enforcement programs, needs for Federal funds, special problems of minority women, and many other issues and topics.

The Council also distributed a general letter to women's and educational organizations across the country, seeking the ideas of these organizations on priorities and needs for educational equity.

In Washington the Council cooperates with the National Coalition for Women and Girls in Education and other clearinghouse groups in exchanging information affecting women's education. Thus the Council functions as a communications link between the officialdom which it advises and the non-government groups so vitally interested in equity for women.

Future Plans of the Council

A thorough review of its initial efforts has made the Council even more strongly convinced of the enormity of the obstacles to achieving educational equity for women and girls. The problems recognized by Congress when it passed the WEEA—sex bias, stereotyping and discrimination which pervade every aspect of our educational system from pre-school games through professional textbooks, from career counseling to selection of educational administrators—are so deep-seated that the Council must choose carefully the issues on which it takes action.

Criteria for Council Concern and Action

To help focus resources most productively, the Council has formulated and adopted a set of criteria for determining areas for priority attention. These criteria establish that issues for Council concern and action:

1. Must have implications for Federal policy
2. Must be "do-able" in terms of
   a. timing
   b. staff resources
   c. funding
3. Should result in maximum impact in terms of
   a. number of women potentially affected
   b. level of funding involved
   c. geographic dispersion
   d. nature of problem
4. Should generate interest and/or support from
   a. women and women's organizations
   b. education community
   c. community agencies
   d. governmental agencies
   e. Congress
   f. media
5. Should not duplicate efforts already underway but instead be
   a. leading
   b. supplementary
   c. complementary
6. Should not be readily supportable under other auspices (e.g., Office of Education, National Institute of Education, General Accounting Office.)

If a potential issue does not meet criteria one and two, it will not be considered.

As the Council moves forward, building on projects and reports already underway, its span of concern will increasingly encompass not only educational equity at the Federal level, but also equity in Federally-assisted activities at the state and local levels.

Council activities in the coming year will also focus on administration and employment within educational systems, as well as on program operation.

And finally, the Council hopes to sharpen its effectiveness as an advisor on educational equity through an expanded effort to disseminate information about its activities to the public.

Appendix A

Summary of Individual Recommendations Submitted by the Council in 1976

Throughout the year, the Council submitted a broad variety of individual recommendations to the Assistant Secretary for Education and the Commissioner of Education. These recommendations—with respect to the Women's Educational Equity Act (WEEA), Title IX of the 1972 Amendments to the Higher Education Act of 1965, vocational education legislation, the Educational Division of HEW, and other issues—are summarized below. Responses of officials to the recommendations are also indicated.

Subject	Recommendation	Response
WEEA	That a) the Commissioner make use of the Council "Criteria for Program Planning and Project Selection" for WEEA; b) that he make use of the Council's FY '78 fund allocation proposal; and c) that he support the Council request for increases in WEEA and Title IV FY '78 budget.	a) OE reply: Most of Council criteria had been included in the draft regulation proposal. b) The Council later revised criteria and budget in accordance with Women's Program Staff suggestions for administrative reasons. c) No mention by the Commissioner of support for increased funds, no support for increases at Congressional hearings.
	That the Commissioner describe procedures to assure consideration of the Council's proposed "Criteria for WEEA" and involve the Council in early stages of the new regulation.	OE reply: Women's Program's Staff will consider criteria and provide explanation for those not adopted.
	That the Commissioner ask the Women's Program Staff to develop simple, supplementary guidelines to assist WEEA applicants in understanding the regulation.	OE reply: Time and procedural limitations preclude development of guidelines but Women's Program Staff will consider alternative means of assisting applicants.
	That the Commissioner make use of Council comments on WEEA "Notice of Intent to Propose a Regulation" for FY '77.	Provisional regulation not published by 12/31/76.
	That the Commissioner request Women's Program Staff to give the Council copies of applications and preapplications for grants under WEEA. Five letters were sent regarding this request.	After a series of meetings and correspondence, agreement was reached and materials furnished.
	That the Commissioner ask OE Office of Planning and Evaluation to cooperate with the Council and match Council budget outlay in a joint evaluation effort of WEEA program.	OE reply: Council request to be considered in FY '77 planning.
	That the Assistant Secretary support legislation to add "National" to the Council name and to provide a mandate for the Council to report to the President and Congress and to disseminate information on its activities.	The Assistant Secretary supported the addition of "National."

Subject	Recommendation	Response
	That the Commissioner inform the Council of processes employed in developing three reports on sexism in education mandated by WEEA. The Council expresses concern over gap between legislative mandate and administrative execution.	Information supplied on process and persons responsible. The Commissioner expresses satisfaction with final product.
	That the Commissioner release three reports on sexism in education and provide wide public notice of availability.	No reply in 1976. Reprints put into the ERIC system in February 1977.
Title IX	That the Assistant Secretary register Council dismay over Title IX complaint which was refused services of Office for Civil Rights in Region IV.	Director of Office for Civil Rights subsequently issued directive to all Regional Offices instructing them in proper procedure.
	That the Assistant Secretary transmit to the Secretary of HEW the Council's concern over announced intentions of noncompliance with Title IX on the part of Hillsdale College and Brigham Young University and urge appropriate action.	ASE reply: Assistant Secretary discussed case with Secretary of HEW and will follow through.
	That the Commissioner assign more Title IV staff to work on the sex discrimination program, publicize Title IV sex discrimination assistance and alert General Assistance Centers to sex discrimination materials available through Title IV.	No reply.
	That the Assistant Secretary inform the Secretary of HEW of Council opposition to a bill to exempt Girls'/Boys' State organizations from Title IX.	Amendment adopted by Congress in Education Amendments of 1976; Office for Civil Rights interpretation exempted Girls'/Boys' State from provisions.
	That the Assistant Secretary counter efforts to weaken civil rights legislation, specifically amendments intended to limit enforcement of Title IX.	OE reply: Council points will be brought to the attention of persons in the Education Division concerned with women's educational programs. Modified amendments subsequently adopted by Congress.
Vocational Education	That the Commissioner encourage Deputy Commissioners to consider strategies of the Bureau of Occupational and Adult Education for elimination of sexism; that elimination of sex stereotyping be made a priority for FY '77 Part C of the Vocational Education Act; and that states be urged to use Part C funds for this priority.	OE reply: The Commissioner will meet with Deputy Commissioners to discuss strategies for equal opportunities for women; elimination of sex stereotyping is a component of each priority for Part C and may become a separate FY '77 priority. (It did, subsequently.)
	That the Commissioner consider Council comments on "Vocational Education Part D Criteria for Selection of Applicants" which relate to evaluation of applicants in terms of their demonstrated commitment to the elimination of sex bias in education.	Criteria not published as of 12/31/76.
	That the Commissioner act to assure adequate publicity for public meetings on vocational education legislation outside the vocational education establishment and to assure that meetings be held in locations, facilities which encourage public participation. Also that a Council representative view audio visuals for these meetings which are allegedly sexist.	OE reply: Bureau of Occupational and Adult Education has undertaken publicity and directed Regional Offices to invite organizations; next round of meetings will be more closely controlled by OE.

Subject	Recommendation	Response
	That the Commissioner assign adequate staff resources to augment efforts of a Special Assistant, especially in the Division of Vocational and Technical Education.	OE reply: The need for increased resources is acknowledged but the problem of funds is difficult.
	That the Commissioner consider comments of the Council and also of the Lawyers' Committee for Civil Rights Under Law on implementation of Title II of the Education Amendments of 1976.	Provisional regulation not published by 12/31/76.
Education Division of HEW	That the Commissioner and the Assistant Secretary support the Council proposal for a review of the Education Division of HEW in terms of its impact on women.	Meetings with Assistant Secretary, Commissioner and staffs; support from both offices.
	That the Commissioner assure appropriate representation of women and educational equity issues in National Commissioner's Conferences on Education. Follow-up letter requested specific actions to assure above. Additional correspondence concerning Career Education Conference.	OE reply. A copy of the Commissioner's response directing that planners address Council concerns was sent by the Commissioner to all conference planners. A list of responsible persons for each conference was then provided, and a Council representative was on a panel at Career Education Conference.
Miscellaneous	That the Assistant Secretary describe activities of Federal Interagency Committee on Education for elimination of sexism in education and recommend role for Council in assisting FICE.	No specific activities noted, but the Council did receive an invitation to meet with FICE and discuss what it should do in this regard.
	That the Assistant Secretary take steps to assure that future nominations to advisory councils be of people knowledgeable about women's and minority issues and sex stereotyping.	Council staff met with HEW staff to discuss further.
	That the Commissioner describe plan for public participation in drafting of regulations as per Secretary Mathews' proposed policy.	OE reply: Description of Citizen Participation plan supplied with chronology of expected events (i.e., "Notice of Intent," etc.).
	That the Secretary of HEW take steps to assure that members of the Federal Advisory Committee on Affirmative Action in Employment at Institutions of Higher Education be persons with experience in women's rights. The Council offered to suggest sources for the Committee to consult.	No substantive reply.
	That the Secretary of HEW consider Council comments on the Report of the Secretary's Task Force on Citizen Participation.	Letter of appreciation received.

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Appendix B
Dates and Locations of Council Meetings

January 6, 1976	Legislation Committee	Washington, DC
January 7, 1976	Executive Committee	Washington, DC
January 15-16, 1976	Information Resources Committee,* Program Committee (joint meeting)	Dallas, TX
February 4-6, 1976	Advisory Council	San Francisco, CA
March 12, 1976	Executive Committee	Washington, DC
March 15-16, 1976	Federal Policy and Practices Committee	Washington, DC
March 30-April 2, 1976	Advisory Council	
	Information Resources Committee*	
	Program Committee	
	Legislation Committee	Washington, DC
May 7, 1976	Information Resources Committee*	Kansas City, MO
June 6-9, 1976	Advisory Council	
	Executive Committee	
	Legislation Committee	
	Federal Policy and Practices Committee	
	Program Committee	Detroit, MI
June 18-19, 1976	Information Resources Committee*	Madison, WI
August 2-3, 1976	Special Committee on Rural Women	Stockton, CA
September 10-11, 1976	Special Committee on Rural Women	Santa Fe, NM
September 19-22, 1976	Advisory Council	
	Executive Committee	
	Federal Policy and Practices Committee	
	Legislation Committee	
	Program Committee	Washington, DC
October 18-19, 1976	Special Committee on Rural Women	Boone, NC
December 2-4, 1976	Advisory Council	
	Executive Committee	
	Legislation Committee	
	Federal Policy and Practices Committee	
	Program Committee	Washington, DC

*Information Resources Committee changed to Special Committee on Rural Women mid year, 1976.

Appendix C

Council Criteria for Program Priorities and Project Selection Under the Women's Educational Equity Act

Program Priorities

The National Advisory Council on Women's Educational Programs recommends the following goals—ranked in order of importance—as the basis for designating program priorities under the Women's Educational Equity Act:

1. Promoting educational equity for women and girls by fostering change in institutions, agencies, and departments in their policy-making, resource allocation, employment practices, and program administration and content.
2. Assisting population groups which have special needs for support in order to bring about educational equity for women and girls.
3. Abolishing sex-role stereotyping in guidance and counseling, and curriculum materials (includes a concern with the educational media).
4. Ensuring equal educational opportunity in career-related programs.

Project Selection

As a totality, projects selected for funding should:

1. Reflect a variety of approaches and strategies for addressing particular needs of women and girls for educational equity.
2. Reflect a variety of delivery systems—community organizations, student groups, public and non-profit private agencies—as well as traditional educational institutions.
3. Represent geographic and demographic diversity.
4. Work toward resolution of long-range as well as short-range problems.

Each project should be considered in terms of its ability to:

1. Impact upon the maximum number of women and girls—particularly those groups with multiple needs (e.g., minority women)—in order to produce maximum results with minimum resources.
2. Evidence reasonable expectation of the project or its results (a) being incorporated into the regular program of the institution, community, region, or state within which located, and/or (b) being replicated or adapted in other locations.
3. Emphasize role of women in developing, implementing, and evaluating the project.
4. Address objectives which are specific, measurable, and offer reasonable expectation of being accomplished within a specific time frame.
5. Facilitate communication and cooperative ventures between levels of education and kinds of education. (For example: A successful career education project focusing on sex-role stereotyping at the junior high school level needs to work with (a) teachers of all subject matters to develop awareness and exploration opportunities in a variety of career fields, and (b) high school counselors and other personnel to expand vocational offerings and options.)

Revised December 4, 1976

Appendix D

Recommendations from the Council's Report on the Educational Needs of Rural Women and Girls

1. The National Advisory Council on Women's Educational Programs recommends to the President and Congress that a Federal rural education policy be established which is designed to meet the special problems of isolation, poverty and underemployment that characterize much of rural America. Such a policy must be consciously planned to overcome the inequality of educational opportunities available to rural women and girls.

2. The Council recommends that the Office of Management and Budget set and enforce a policy that data collected on beneficiaries of all Federal programs shall be reported by sex, by minority status, and by urban/rural or metropolitan/non-metropolitan areas, based on a standard definition.

3. The Council recommends that the Secretary of Health, Education and Welfare ask the Census Bureau to incorporate in the Agriculture Census questions on rural women, their educational attainment, their employment for wages, and their employment in home and farm work; and that the Secretary of HEW ask the Department of Agriculture to incorporate in surveys questions about the economic contributions of women's work in agricultural production and homemaking, and questions on the economic and social conditions of non-farm rural women.

4. The Council recommends that the Departments of Health, Education and Welfare, Agriculture and Interior (Bureau of Indian Affairs) undertake coordinated research programs to understand the special educational needs of rural women in their culturally, geographically and economically diverse settings, so that appropriate programs can be developed to fulfill the policy proposed in Recommendation 1 above. The findings of such research should be widely disseminated.

5. The Council recommends that the Department of Health, Education and Welfare, through the Office of Education, undertake a vigorous campaign to inform the public about legislation, services, and programs which can assist in eliminating sex bias and sex stereotyping in education, and in that campaign, pay special attention to the problems of reaching rural women.

6. The Council recommends that the Department of Health, Education and Welfare, through the Office of Education, fund a program of innovative uses of broadcast (both open and closed circuit) as a delivery system of educational services to rural women, and further recommends that those successful innovations be additionally funded and replicated throughout the country.

7. The Council recommends that the Secretary of Health, Education and Welfare review and amend the criteria by which project grants and contracts are awarded, and modify the guidelines and procedures governing applications, so that rural women and girls in greater numbers can qualify for Federal support of their programs and be the actual beneficiaries of them.

8. The Council recommends that any programs receiving Federal funds which set prerequisites of minimum enrollment as a condition for providing courses recognize the difficulties in sparsely populated areas of meeting the same numbers standard that may be reasonable in more urban settings.

9. The Council recommends to the Secretary of Health, Education and Welfare that whenever Federal resources are used to support educational guidance and counseling programs at teacher training institutions, state departments of education, and individual schools, specific attention be directed to the multiple needs of rural women and girls.

Appendix E

The Women's Educational Equity Act (Public Law 93-380, Education Amendments of 1974, as amended through the Education Amendments of 1976)

Sec. 408. (a) This section may be cited as the "Women's Educational Equity Act of 1974."

(b)(1) The Congress hereby finds and declares that educational programs in the United States (including its possessions), as presently conducted, are frequently inequitable as such programs relate to women and frequently limit the full participation of all individuals in American society.

(2) It is the purpose of this section to provide educational equity for women in the United States.

(c) As used in this section, the term "Council" means the Advisory Council on Women's Educational Programs.

(d)(1) The Commissioner is authorized to make grants to, and enter into contracts with, public agencies and private nonprofit organizations and with individuals for activities designed to carry out the purposes of this section at all levels of education, including preschool, elementary and secondary education, higher education, and adult education. These activities shall include—

(A) the development, evaluation, and dissemination by the applicant of curricula, textbooks, and other educational materials related to educational equity;

(B) preservice and inservice training for educational personnel including guidance and counseling with special emphasis on programs and activities designed to provide educational equity;

(C) research, development, and educational activities designed to advance educational equity;

(D) guidance and counseling activities, including the development of nondiscriminatory tests, designed to assure educational equity;

(E) educational activities to increase opportunities for adult women, including continuing educational activities and programs for underemployed and unemployed women;

(F) the expansion and improvement of educational programs and activities for women in vocational education, career education, physical education, and educational administration.

(2) A grant may be made and a contract may be entered into under this section only upon application to the Commissioner, at such time, in such form, and containing or accompanied by such information as the Commissioner may prescribe. Each such application shall—

(A) provide that the program or activity for which assistance is sought will be administered by or under the supervision of the applicant;

(B) describe a program for carrying out one of the purposes set forth in subsection (a) which holds promise of making a substantial contribution toward attaining such purposes; and

(C) set forth policies and procedures which insure adequate evaluation of the activities intended to be carried out under the application.

(3) The Commissioner shall approve applicants and amendments thereto which meet the requirements of paragraph (2).

(4) Nothing in this section shall be construed as prohibiting men from participating in any programs or activities assisted under this section.

(e) In addition to the authority of the Commissioner under subsection (d), the Commissioner shall carry out a program of small grants, not to exceed $15,000, each, in order to support innovative approaches to achieving the purposes of this section; and for that purpose the Commissioner is authorized to make grants to public and private nonprofit agencies and to individuals.

(f)(1) There is established in the Office of Education a National Advisory Council on Women's Educational Programs. The Council shall be composed of—

(D) the Director of the Women's Action Program of the Department of Health, Education, and Welfare.

The Council shall elect its own Chairman.

(2) The term of office of each member of the Council appointed under clause (A) of paragraph (1) shall be three years, except that—

(A) the members first appointed under such clause shall serve as designated by the President, six for a term of one year, five for a term of two years, and six for a term of three years; and

(B) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(3) The Council shall—

(A) advise the Commissioner with respect to general policy matters relating to the administration of this section;

(B) advise and make recommendations to the Assistant Secretary concerning the improvement of educational equity for women;

(C) make recommendations to the Commissioner with respect to the allocation of any funds pursuant to this section, including criteria developed to insure an appropriate geographical distribution of approved programs and projects throughout the Nation;

(D) make such reports as the Council determines appropriate to the President and the Congress on the activities of the Council;

(E) develop criteria for the establishment of program priorities; and

(F) disseminate information concerning the activities of the Council under this section.

(4) From the sums available for the purposes of this section, the Commissioner is authorized and directed to conduct a national, comprehensive review of sex discrimination in education, to be submitted to the Council not later than a year after the date of enactment of this section. The Council shall review the report of the Commissioner and shall make such recommendations, including recommendations for additional legislation, as it deems advisable.

(5) The provisions of part D of the General Education Provisions Act shall apply with respect to the Council established under this subsection.

(f) The Commissioner is directed, at the end of each fiscal year, to submit to the President and the Congress and to the Council a report setting forth the programs and activities assisted under this section, and to provide for the distribution of this report to all interested groups and individuals, including the Congress, from funds authorized under this section. After receiving the report from the Commissioner, the Council shall evaluate the programs and projects assisted under this section and include such evaluation in its annual report.

(g) For the purpose of carrying out this section, the Commissioner is authorized to expend not to exceed $30,000,000 for each fiscal year prior to July 1, 1978.

(20 U.S.C. 1866) Enacted August 21, 1974, P.L. 93-380, sec. 408, 88 Stat. 554, 556.

Appendix F

How the Council Effects Change

Direct Action

The Council is limited to the functions specified in the Women's Educational Equity Act. There are various ways in which it can carry out these functions and legitimately widen its sphere of influence:

- Written recommendations to Assistant Secretary, Commissioner, and other Federal officials
- Annual and special reports with recommendations
- Formal comments on proposed program regulations
- Meetings with Federal officials
- Congressional testimony, when invited
- Reports to the Congress and President
- Copies of above letters and comments sent to other groups which might then be stimulated to act
- Dissemination of news releases and materials concerning Council actions
- Dissemination of reports (e.g. rural women report)
- Public hearings, consultations or seminars to focus attention on issues
- Presentation of speeches, in response to requests

Indirect Action

In order to gather information necessary to carry out its advisory functions, the Council may undertake a variety of activites, including:

- Preparation of papers, reports and other materials by members, staff or consultants
- Site visits to WEEA-funded and other projects by Council members and staff
- Invitation of individuals from the government and from the public to advise Council on specific educational needs of women
- Requesting of information* from the government, private individuals and groups (Sometimes the process of requesting information can help change policy.)
- Exchange of information with relevant commissions, councils, committees, etc. and with private groups and individuals (This might in turn stimulate such groups to support Council action and goals with recommendations of their own.)

*The Council has no subpoena power to require individuals to respond to such requests for information.

Appendix G
Financial Report

The Council spent some $366,000 for Fiscal Year 1976. (The year covered 15 months, from July 1975 through September 1976.) Since the Council was not fully staffed during its first year, some funds were available to employ consultants and contractors to assist on special projects. Most of these contracts extend through 1977 and their products will become available during that year.

Major Categories of Council expenditures were as follows:

Council and Committee Meetings	$ 90,835
Salaries	103,063
General operation of office and equipment	15,417
Projects	
Rural Women (4 regional consultations, Committee expenses, consultants. Report due Dec. 1976)	20,045
Evaluation of WEEA (Contractor report due Feb. 1977)	38,296
Women's Studies (Contractor report due Feb. 1977)	25,000
HEW Education Division Review (Contractor reports due Sept. 1977)	37,686
Editing/Graphics (Preparation for publication of 12 reports in 1977)	27,520
Other	8,400
TOTAL	$366,262

Members of the National Advisory Council on Women's Educational Programs, 1975-1976 (And Expiration Date of Term)

Chair: Bernice Sandler (1977)
Director, Project on the Status and Education of Women
Association of American Colleges
Washington, D.C.

Vice Chair: Mary Beth Peters (1978)
Program Director, Administration & Management
Chatham College
Pittsburgh, Pennsylvania

Mary Allen (1978)
Graduate Student
Kansas State University
Manhattan, Kansas

Ernest Boyer (1978)
Chancellor
State University of New York
Albany, New York

Katherine Burgum (1978)
Dean, College of Home Economics
North Dakota State University
Fargo, North Dakota

Anne Campbell (1977)
Commissioner of Education
Nebraska State Dept. of Education
Lincoln, Nebraska

Joanne Carlson (1977)
Assistant Dean, Graduate School
University of Oregon
Eugene, Oregon

Marsha Darling (1976)
Graduate Student
Duke University
Durham, North Carolina

Benjamin DeMott (1976)
Professor of English
Amherst College
Amherst, Massachusetts

Agnes Dill (1978)
Former President
North American Indian Women's Association
Isleta, New Mexico

Jon Fuller
President
Great Lakes Colleges Association
Ann Arbor, Michigan

Margaret Harty (1976)
Vice President, Institute of Health Sciences
Texas Women's University
Denton, Texas

Holly Knox (1976)
Director, Project on Equal Education Rights
NOW Legal Defense and Education Fund
Washington, D.C.

Irene Portillo (1976)
Instructor/Coordinator, Vocational Education
Rio Hondo College
Whittier, California

Theresa de Shepro (1978)
Vice Provost for Special Programs
University of Washington
Seattle, Washington

Sister Joyce Rowland (1977)
President
College of St. Teresa
Winona, Minnesota

Gerald Weaver (1977)
Director of Public Information
Mississippi College for Women
Columbus, Mississippi

Newly Appointed Members (Term Expiration Date – 1979)

Marjorie Bell Chambers
President
Colorado Women's College
Denver, Colorado

Agnes I. Chan
Teacher
Francisco Jr. High School
San Francisco, California

Elizabeth Z. Fryer
Library Consultant
Brentwood, Tennessee

Jon Fuller (re-appointed)
President
Great Lakes Colleges Association
Ann Arbor, Michigan

Thera C. Johnson
Career Specialist
Weber School District
Ogden, Utah

Marguerite C. Selden
Retired Assistant Supervisor, Continuing Education
D.C. Public School System
Washington, D.C.

Executive Director: Joy R. Simonson

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The Commissioner's Report on Sex Discrimination in Education:

Synthesis and Summary of Procedures,

Findings, Review and Recommendations

Prepared for the Council by
Mary Ellen Verheyden Hilliard
Washington, DC
March, 1977

Bernice Sandler, Silver Spring, MD, chair
Mary Beth Peters, Pittsburgh, PA, vice chair

Mary Allen, [illegible] Center, KS
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Katherine Burgum, Fargo, ND
Anne Campbell, Lincoln, NB
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Thora C. Johnson, Ogden, UT
Sister Joyce Rowland, Winona, MN
Marguerite Seldon, Washington, D.C.
Theresa Aragon de Shapro, Seattle, WA
Gerald E. Weaver, Columbia, MS

EX OFFICIO MEMBERS:
[illegible] Health, Civil Rights, Director, Women's Bureau, U.S. Department of Labor, Director, Women's Action Program, U.S. Department of Health

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Background

The opening passage of the Women's Educational Equity Act (WEEA) of the Education Amendments of 1974 (P.L. 93-380) states:

> Congress hereby finds and declares that educational programs in the United States (including its possessions), as presently conducted, are frequently inequitable as such programs relate to women and frequently limit the full participation of all individuals in American society.[1]

In order to provide baseline data on sex discrimination at all levels of education, the Act states in Section 408(f)(4):

> From the sums available for the purposes of this section, the Commissioner is authorized to conduct a national, comprehensive review of sex discrimination in education, to be submitted to the Council not later than a year after the date of enactment of this section. The Council shall review the report of the Commissioner and shall make such recommendations, including recommendations for additional legislation, as it deems advisable.[2]

This section was added to the Act after hearings on WEEA revealed the need for systematic and comprehensive documentation on the extent and nature of sex discrimination at every educational level.[3]

Review Process Developed by the Council

The Commissioner's Report has been reviewed by members of the National Advisory Council and by consultants selected to review the three component reports.[4] The overall purpose of the Council review was to determine if the recommendations offered by each report were supported by the data, whether there were gaps in existing data which needed to be filled, and whether the legislative mandate in regard to the reports had been fulfilled.

As background for its review of the Commissioner's Report, the Council attempted to trace the process by which the framework for the national and comprehensive review of sex discrimination in education was developed. The Council believes this effort can provide guidance for similar undertakings by the Office of Education.

Development of the Commissioner's Report

The WEEA, passed in August of 1974, required the submission of the Commissioner's Report no later than August 21, 1975, but no funds had been appropriated for the work at that time. According to the Commissioner, "As a legal matter, therefore, the Office of Education was under no obligation to conduct any review whatsoever pursuant to Section 408(f)(4)."[5] In order to show "good faith," the Office of Education allotted $129,000.00 to carry out the Commissioner's "national, comprehensive review of sex discrimination in education."

The Advisory Council for the Women's Educational Equity Act had not yet been appointed and therefore could not participate in this decision process. Organizations representative of girls and women were not consulted to seek their perception of needs or advice or priorities.

A planning team of selected HEW staff members[6] met intermittently from August through November, 1974 and developed the Request for Proposal which delineated the scope of the national and comprehensive review. The RFP (75-12) was published in Commerce Daily on December 12, 1974.

The RFP called for three reports based on reviews of the literature in regard to Sex Discrimination in Guidance and Counseling, Access to Post Secondary Institutions, and Employment Practices Affecting Professional Educational Personnel. Based on the literature reviews, each report was to make recommendations on (1) ways in which needed changes might be effected, (2) Office of Education policy, (3) new legislation, and (4) need for additional data acquisition. A full annotated bibliography was to accompany each report.

The RFP prohibited development and use of survey instruments to collect data. The levels of education to be covered in the reports excluded elementary school from the report on Guidance and Counseling, as well as both elementary and secondary school from Access to Education.

Following the response to the RFP, three contractors were selected[7] to develop the reports. A 15-person "Technical Review Committee" was established by the National Center for Educational Statistics (NCES) from among staff members of HEW.[8] Five members were assigned to each contractor. Each Review Committee group met once with its contractor. Thereafter, draft sections of each report were sent by the Project Officer to Review Committee members for comment. The comments were sifted by the Project Officer who then wrote the review of each segment which went to the contractor. The reports were completed in the early spring of 1976 and, after review by NCES, transmitted to the Commissioner and by him to the Council.

The Council recommended that the Commissioner release the reports and publicize their availability to the general public. In February 1977 they were entered into the ERIC system.

Data and Findings of the Commissioner's Report

Data

The data in the reports come from a review of the literature and consist of (1) already completed research and surveys that have produced primary data, (2) analysis of primary data collected by other studies, (3) theoretical literature, (4) very small exploratory studies raising questions on which information is seen to be lacking, and (5) authoritative commentaries based on expert knowledge of the literature or which dealt with issues not subject to data acquisition.

Overall, the data presented by the reports support the findings.

Findings

A synthesis of the findings of the three reports indicates:

1. The socialization process, an individual's interaction with parents, peers, school, and media, conveys crucial messages about sex roles which have long-range implications for educational and career choices.

2. Girls limit their access to fields of study by selecting female intensive areas, whether in vocational school or in college preparatory classes.

3. Girls are hindered rather than helped by the prevalence of traditional and sex discriminatory attitudes reflected in career and vocational guidance materials, including college catalogues.

4. Attitudes of high school and college teachers, counselors and parents impose sex stereotypic limitations. Counselor attitudes toward women and girls are found to be biased against non-traditional goals of women entering "male" fields. Teachers and administrators are also seen to treat students differently on the basis of sex.

5. Of the relatively few studies that evaluate the impac of counseling, none looks at the difference in impact on women and men.

6. Women's participation in postsecondary education is affected by their view of the role of education in their development and preparation for adulthood, as well as by existing opportunities.

7. Mental health theories that define an individual's problems as primarily intra-psychic in origin are inadequate to conceptualize the important sources of distress women and girls encounter in society. Guidance text books and evaluative instruments reflect sex bias both through commission and omission. Sex bias problems are compounded for minority girls and women.

8. Financial support is a particular concern to young women reflecting the fact that they are likely to be dependent on parents for support more than their brothers, yet parents may not value education for their daughters as much as for their sons. This combination of factors decreases young women's opportunity for postsecondary education regardless of interest or ability.

9. Criteria for admissions to four year colleges and technological institutions rest primarily on grades earned and courses taken in high school. Young women have the edge in the first criterion but on the second they are at a disadvantage in institutions or programs which require a strong background in science and/or mathematics.

10. Male applicants are more likely to be accepted into four year institutions and this sex differential is particularly strong among students of average or low ability.

11. Special problems, such as lack of full gynecological services and/or child care centers, may lead women to drop out of postsecondary institutions.

12. Lacking female faculty in significant numbers to act as role models and mentors, young women turn to male faculty members, many of whom. the evidence suggests, present an indifferent or hostile attitude toward women scholars, which may discourage them from continuing graduate study.

13. Adult women returning to formal educational systems face all of the previously mentioned difficulties exacerbated by educational barriers to the non-traditionally aged student and compounded by the adult woman's concern with family and societal pressures, lack of self confidence stemming from length of time away from academia, and guilt about taking time and money away from the family.

14. Long-established employment practices of educational institutions have served as barriers to the appointment and particularly the promotion of women on an equal basis with men at all levels of education.

15. Women with the same qualifications performing the same tasks as men frequently do not receive commensurate salaries at any level.

16. Women employed in educational institutions often receive inequitable fringe benefits.

17. Women are available in sufficient numbers, with training and experience to fill more positions, and more responsible positions, than they currently hold in educational institutions.

18. Traditional life and work patterns and psychological barriers to women's full participation in the educational job market, though they do exist, do not appear by themselves sufficiently inhibiting to explain women's comparable lack of progress in the field of education.

19. The experience of women of minority groups tends to parallel that of women of the majority group in regard to sex discrimination. In some instances the sex discrimination between minority group men and women is more intense than that between majority group women and men. While White men are about two and a half times more likely than White women to be in tenured positions, Black men are ten times more likely than Black women to enjoy such higher status, although more minority women than minority men complete high school and go on to postsecondary education.

Findings of the Council Review

The reports have fulfilled their obligations under the scope of the Request for Proposal. However, the Council feels it would be remiss if it did not note the discrepency between the Congressional mandate for the Commissioner to conduct "a national, comprehensive review of sex discrimination in education" and the interpretation of that mandate in the RFP as a review, organization, and evaluation of the literature relevant to three specific topics.

The Council does not believe that a national and comprehensive review of sex discrimination in education has been completed. Among the topics which have not been addressed are: the treatment of students in elementary, secondary and postsecondary schools, athletic programs, extra curricular activities, part time programs, financial aid, work/study programs, non-degree adult programs, community colleges, programs for and treatment of pregnant students, vocational education, affirmative action procedures at all levels of education and attitudinal problems in educator/student interaction -- (teacher, counselor, and administrator) at all levels of education.

The recommendations of the Council are, therefore, limited at this time to those areas covered by the Commissioner's [illegible]. The large number of recommendations, even within the limited topics covered, indicates the severity of the problem of educational sex discrimination and the size of the iceberg which lies below this first attempt to define its dimensions.

The Council wishes to emphasize at the outset that its recommendations are made with the understanding that they apply to all girls and women, that the diversity of a multi-cultural society must be attended to in the research, that all data should be collected to reflect the diversity, to illuminate the unique situation of women and girls of minority groups and to adequately disclose the sex discrimination faced by all the girls and women of America.

The Council is aware that sex fair treatment of women will result more speedily if men become aware of the effects on them of their conditioning regarding both their own roles and attitudes as men and boys and their attitudes toward roles for women and girls. Therefore, the Council urges the Office of Education to encourage

affirmative action plans which include development of that awareness by men and ways to change the results of such conditioning.

The Council recognizes the fact that the findings of the reports may be perceived as "advocacy" as stated in the Commissioner's transmittal letter to the Council. Inasmuch as advocacy means "to support," the reports do indeed advocate the furtherence of educational equity. This is, of course, the mission of the Council and of the Women's Educational Equity Program.

The importance of Federal policy in the implementation of the recommendations probably can not be overstated. Even when recommendations are directed to subnational or private organizations and institutions, much depends on government initiative and demonstration of leadership and seriousness of purpose through funding of grants, projects, conferences, exemplary materials, in-depth research and so on.

Format

The recommendations are in three categories: (1) Broad recommendations which are beyond the scope of the report; (2) Recommendations which stem from the separate reports but which are generalizable to the overall necessity of eliminating sex discrimination in education; (3) More specific recommendations which relate to a particular report subject.

Categories two and three are subdivided into recommendations pertaining to policy, research and legislation. In the Appendix are suggestions of agencies, organizations, and institutions which may be appropriate for implementation.

I. Recommendations Deriving from the Totality of the Reports

1. The need to achieve sex equity in education should be a priority concern in every educational program for which the Department of HEW is responsible.

2. The Federal perception of the seriousness and long range implications of sex discrimination in education should be communicated immediately to all public and private institutions and organizations with which the Federal agencies are connected.

3. Field surveys should be undertaken in all areas in which baseline date do not yet exist in order to determine the true nature and extent of educational sex discrimination at all levels and in all aspects affecting students and employees.

4. Evaluation components should be required in every Education Division program to determine the effect of that program on eliminating sex discrimination and encouraging development of full career potential.

5. Special funding efforts of sufficient amount and duration should be made wherever necessary to achieve implementation of the above recommendations and those in the following sections.*

6. Women's colleges have produced and do produce many women graduates who become leaders in the nation. For that and other reasons the Council supports efforts to strengthen these institutions.

*For instance, the Emergency School Aid Act is funded for $237,000,000.00 for FY 77 to relieve the negative effects of past segregation and discrimination.

II. General Recommendations

Federal Policy

1. Establish and utilize exemplary employment standards for the Department of Health, Education and Welfare, above all the Education Division, which might serve as models for emulation by educational systems and institutions.

2. Require equitable representation of women on all Federal and Federally-sponsored policy-making committees so that issues affecting girls and women are more likely to be given due consideration (Larger female representation is urgently needed on task forces, advisory committees, grant application review panels, and state advisory councils).

3. Require an evaluation component in every programmatic effort related to elementary school to determine its effect on career development of girls. (Because the effects of discriminatory socialization are cumulative and elementary school is a key time for programmatic work, non-sex biased intervention should be made at this early stage. This recommendation should not be construed to refer only to career education programs.)

4. Require on-going review of all governmental publications which have career or vocational impact for overt or covert (by omission of females) sex bias. Where necessary, rewrite to present affirmatively sex fair publications.

5. Accelerate and intensify as a priority the development of a body of non-sex biased research on girls and women.

6. Consider establishment of a permanent ERIC or other type of clearinghouse on issues affecting girls and women in education. (When the recommendations of the WEEA Communications Network contract have been received, the Council will assess them as well as the possibility of an ERIC.)

7. Require education and employment and research data collected by the Department to be gathered by sex/by race.

8. Encourage the Education Division to contract with firms which employ women of all races and minority men as administrators and researchers.

Oversight

1. Establish and exercise careful oversight procedures to assure that enforcement agencies are carrying out their responsibilities on behalf of girls and women under Title IX and the Executive Order.

2. Develop detailed and definitive recommendations for guidelines for determining availability of women for positions in elementary, secondary and postsecondary institutions.

3. Support full-scale study of affirmative action achievements and problems at all educational levels.

4. Secure and disseminate information concerning compliance with new court rulings promptly on issuance of decision.

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5. Determine non-legislative possibilities for:

   a. Requiring affirmative action plans and remediation strategies for employment discrimination from educational institutions not covered by the Executive Order (to bring most elementary and secondary schools to the standards required of higher education institutions);

   b. Providing graduated sanctions to enforce compliance with Title IX and the Executive Order.

Outreach

1. Provide information to affected parties on court rulings affecting women in educational institutions. (This may be particularly necessary in elementary and secondary institutions.)

2. Support programs giving special attention to the educational financial needs of women with particular attention to: women over the traditional college age; minority women with particular attention to women of Hispanic and Native American backgrounds; ways to counteract the fact that more daughters than sons are dependent on parents for support but that daughters are less likely to receive educational financial aid from parents; women considering preparing for other than female intensive careers.

3. Support training for parents and educators on sex role development, the role of socialization in shaping self-perceptions and aspirations, interrelationship of sex role awareness, education and career decisions, importance of non-traditional careers for women, need for non-traditional materials in schools, techniques to assist girls and boys to develop new images of career roles and life patterns for women and men.

4. Support training of women to facilitate their entry into administrative positions of elementary and secondary systems at an accelerated pace.

5. Encourage private foundations to support public interest organizations devoted to the protection and enforcement of women's educational and employment rights.

6. Support, through conferences or other means, networking between women faculty in universities who have defined and reported sex discrimination in postsecondary schools and those undertaking similar studies at the elementary and the secondary levels in order to share expertise and knowledge. Women's caucuses in professional associations related to each discipline could help develop similar studies for science, mathematics, and other areas at the elementary and secondary levels of education.

7. Encourage, at the local level, women's and educational organizations such as NEA, APGA, League of Women Voters and Commissions on the Status of Women, to act as advocates for the appointment or election of women to school boards and committees.

8. Support programs for theses and dissertations on sex discrimination in educational institutions comparable to the Department of Labor efforts in connection with "manpower" programs and the Administration on Aging for the elderly.

9. Utilize Intergovernmental Personnel Act to bring women from elementary, secondary and postsecondary schools into National Institute of Education and Office of Education national and regional offices for the benefit both of the women and HEW.

Research

1. Develop programmatic intervention techniques to remediate lack of participation by girls in advanced mathematics and science in secondary school. (The present mathematics filter limits women's entry into a broad range of disciplines and careers.)

2. Identify and analyze variables that influence career decisions and stimulate or inhibit career development of girls. Three areas already noted as requiring study are: home and parent/child interactions; factors in very early adolescence which affect expectations of preparing for motherhood and/or a career; and forces interacting with girls which contribute to raised or lowered self esteem, achievement motivation and attainment. Intervention techniques should be developed for practical use by educational institutions; based on what is known what institutional practices can affect positively the development and utilization of girl's and women's full career potential?

3. Develop sophisticated interview and observational techniques to accompany more traditional data collection in order to uncover subtle, even non-verbal areas of sex bias and sex discrimination (in student interaction with a teacher, counselor, or administrator) which may affect a girl's or woman's perception of her role.

4. Develop activities, interactions and materials that are effective in resocializing the sexes, restructuring rigid sex roles, and encouraging communication between girls and boys about perception of sex roles.

5. Utilize the National Longitudinal Study of the High School Class of 1972 (and the new cohort of 1979 graduates if they are to be added to the study) to provide periodic data and additional information relating to self perception, sex discrimination and labor market experience. Regular and special Census Bureau reports may also be appropriate sources of data.

Legislation -- Federal

1. Provide sufficient funds to adequately assist state and local education agencies and educational institutions to implement Title IX with special funding efforts to overcome disparities in participation in educational programs and activities resulting from previous sex discrimination.

2. Fund and staff the Women's Program Staff to enable it to carry out its charge.

3. Appropriate sufficient funds to ensure staff and resources to effectively enforce the rights given to female students and employees of educational institutions by Title IX and the Executive Order.

4. Provide funding level sufficient to adequately carry out the recommendation for acceleration of development of body of non-sex biased research on girls and women.

State

1. Enact in every state legislation modeled on Section 9240 of the California Education Code which states that instructional materials should accurately portray cultural and racial diversity and "the contributions of both men and women in all types of roles, including professional, vocational, and executive roles" and "the role and contributions of women to the economic, political and social development...of the United States of America, with particular emphasis on portraying the roles of these groups in contemporary society." Such legislation should be accompanied by the regulations, funding, and other requirements necessary for full implementation.

III. Recommendations Specific to Individual Reports

A. GUIDANCE AND COUNSELING

Federal Policy

Screen governmental publications which have career or vocational impact for overt or covert sex bias. Where necessary rewrite to present affirmatively sex fair publications.

Oversight

1. Support, by letter of the Commissioner of the Office of Education to the professional associations, American Personnel and Guidance Associations (APGA) and the American Psychological Association (APA), the inclusion of courses in counseling girls and women and minorities in all counseling training programs.

2. Assist in development of high quality state certification standards and support courses in sex fair and racially fair counseling techniques for certification.

3. Support inservice training for counselors employed at all educational levels to:

   a. retrain counselor educators concerning changing roles of women and men in the family and in the larger society.
   b. combat incorrect assumptions regarding women and careers.
   c. provide information on the implications of sex role research to combat sex stereotypic attitudes.
   d. counteract sex bias in every counseling tool including evaluation instruments, career brochures, college catalogues.
   e. develop techniques to confront and counteract stereotypic assumptions of students and of parents.
   f. develop and disseminate inservice training materials.

Sub-National Policy

State

1. Require courses on non-sexist counseling for certification. Those already trained should be required to take inservice training on non-sexist counseling.

Institutions/Professional Organizations

1. Review textbooks used in graduate training of counselors for sex bias, disseminate results, provide guidelines for publishers.

2. Prepare systematic analysis for sex bias of evaluation instruments used at all levels of education.

3. Review and rewrite as necessary all catalogues and brochures to eliminate overt and covert sex bias.

4. Develop methods to infuse required courses with sex fair materials and concepts (e.g., courses on tests and measurement or psychological testing should train counselors to recognize and counteract sex bias presently embedded in evaluation instruments.)

5. Offer special courses on the counseling needs of girls and women.

6. Hire and promote female counselor educators and administrators commensurate with their presence in the field. (Many more women earn doctorates in areas that are appropriate for counselor positions than are hired for such positions.)

7. Encourage counselors to work to expose social myths and restrictive stereotypes that limit individual potential.

Publishers

1. Develop bias free tests.

2. Develop and make available special guidance curricula and materials which are sex fair for the elementary school level.

3. Encourage bias free textbooks. Existing readers and textbooks should be revised to eliminate sexist material.

Research

1. Develop new guidance materials, films and pamphlets which are sex fair.

2. Analyze particular educational counselor characteristics which result in differential treatment by sex or in sex fair counseling outcomes. (Care must be taken in such research to avoid traditional measurements of counseling outcomes which are encrusted with sex bias.)

3. Conduct national study of interaction between counselor and students to trace "messages" being delivered by counselors and received by students.

4. Evaluate existing theoretical works as effective explanations of achievement motivation of women.

5. Analyze and evaluate the vocational school counseling process as it supports the status quo rather than encouraging non-sex stereotyped occupational training.

6. Investigate effects on women of outreach programs assigning conselors to certain subjects or to particular subject majors, i.e. male counselors assigned to the school of engineering and women counselors to the nursing school.

7. Study effect on college women of hierarchy of acceptability for student counseling: i.e. top status to personality counseling and second class status to vocational counseling. Linkage of this effect with the possibility that women disproportionately need help with practical vocational counseling to overcome the effects of past sex role stereotyping and educational sex discrimination but disproportionately avail themselves of personality counseling.

8. Analyze the role of minorities in the total counseling field, including non-Black minorities. The lack of research on Native Americans is particularly salient.

9. Investigate proprietary schools, many of which operate through guaranteed student loans, veteran's benefits, and other sources of Federal funding, to assure educational equity. Such institutions should be required to meet sex-fair standards if they wish accreditation from agencies -- e.g., National University Extension Association and the National Association of Independent Schools -- which receive their authority with approval of the Commissioner of Education.

B. ACCESS TO POSTSECONDARY EDUCATION

Federal Policy

1. Although the following recommendations are listed under the educational level to which they seem most closely tied rather than under "Federal Policy," action on these recommendations will be facilitated by Federal leadership, interest and funding.

Secondary School Policy

1. Provide training and counseling for high school girls on the need to diversify their fields of study from the female intensive courses into the technical courses of vocational training and/or the mathematical and scientific courses of college preparatory training.

2. Provide training and counseling to aid girls to develop more realistic expectations for their lives beyond the traditional expectations, including detailed information about educational financial costs and sources of financial aid.

3. Provide training and counseling for boys, as well as girls, to restructure rigid sex role expectations, to reconceptualize what it means to be a family member.

4. Actively recruit girls into advanced mathematics and science courses.

5. Introduce women's studies courses and infuse on-going courses with images of women in literature, history, art, science and social studies for both boys and girls. Train teachers to teach these new courses or components of courses.

Postsecondary Education

1. Make special recruitment efforts directed at high school girls for non-female intensive schools and departments and particularly technical institutions.

2. Establish or extend remediation and tutorial programs in mathematics and science at all colleges and universities to enable young women to overcome the effects of past sex role stereotyping which tended to program girls out of prerequisite high school courses.

3. Encourage and support women's participation in work-study programs, particularly in non-traditional areas, in order to promote financial independence.

4. Develop and carry out plans to encourage women to compete for fellowships and research assistantships in graduate school.

5. Encourage and support the nomination of women to fellowships by professors.

6. Establish methods to complete degrees while studying part time.

7. Devise special programmatic efforts to provide women with the opportunity to interact with non-stereotypic role models in workshops and seminars.

8. Provide inclusive gynecological health care.

9. Provide day care centers separately or in conjunction with the community.

Research

1. Develop a longitudinal program of research to collect data from high school students periodically and to follow up some of the cohorts. The data collection should be by sex/by race and should develop specific questions which would allow for analysis of trends and changes in treatment of students, plans and aspirations.

2. Devise new and simpler ways of translating and accepting credit from other institutions so that women, who are presently disproportionately the people who follow spouses, do not lose credit for previous postsecondary experience.

3. Revise career guidance materials such as the Occupational Handbook, Encyclopedia of Careers and Vocational Guidance Quarterly as well as other pamphlets and booklets so that illustrations portray women and minorities in all occupations commensurate with the presence of these groups in the population, depicting what should be rather than what is.

4. Develop and recommend methods and standards for crediting women for life experience.

C. EMPLOYMENT OF PROFESSIONAL PERSONNEL IN EDUCATION

Federal Policy

1. Require postsecondary institutions to assume responsibility to establish specific performance criteria for the hiring and promotion of faculty by

their component schools and departments. Unique qualities should be required to be spelled out prior to start of candidates search. All departments of colleges or universities should be required to adhere to these policies.

2. Undertake full-scale collection and analysis of precise data on:

   a. Elementary and secondary schools to determine if an "industry wide" pattern of discrimination exists on the hiring of school principals, administrators, and superintendents. If confirmed, take action to overcome the discrimination.

   b. How postsecondary institutions establish specific performance criteria for hiring, promotion, and tenure of faculty in their component schools and departments, i.e., are unique requirements and qualities spelled out in performance criteria prior to start of candidate search; do all schools and departments adhere to these written criteria?

   c. Salary differentials between women and men teachers at all educational levels including extra-curricular supplements, credit for prior experience, summer school and part time. Date should be gathered by racial/ethnic group/by sex/by age/by type of school district/by type of postsecondary institution.

   d. Distribution of women and men on faculties by degree and by years of experience at present or other institutions to identify women who are qualified for promotion but who have remained in the same rank for longer periods of time than men with similar qualifications.

   e. Life insurance and health benefits differences in coverage provided women and men employed by educational institutions and, at the elementary and secondary level, differences in the array of retirement programs.

   f. The professional status, by sex/by race, of the teachers in the expanding and important special fields of pre-kindergarten, continuing education, adult education and vocational education (at secondary, postsecondary and adult educational levels) as it affects the employment and treatment of women.

   g. Effect on women of the projected decrease in numbers of teachers that will be needed in the foreseeable future and the interface of that projection with regional and state employment patterns; e.i., comparing the South, where women are employed in greater numbers as educators than elsewhere, with other regions.

   h. Trends in:

      (1) Number of women and men employed as elementary, junior and senior high principals.

      (2) Number of women and men certified at the present time for appointment to supervisory positions.

      (3) Increase or decrease in numbers of women seeking school superintendency.

(4) Characteristics of elementary and secondary teachers by sex/race/grade level taught.

Institutional Policy

1. Make major effort to equalize salaries in every job category. This should be accomplished by establishing salary levels and criteria by which they are determined; justification in writing; credit for socially valued but not necessarily adacemically related experience (military service/child-bearing and rearing); establishment of similar pay scales for similar extra curricular duties.

2. Standardize and publicize all actual, proposed and probable job vacancies for the next academic year well in advance of deadline for filing. Job opportunities for teaching summer school should be equally well publicized (memo in paycheck was suggested as a simple in-house solution).

3. Establish proportional equal salary, fringe benefits, sabbaticals, and support for research for part-time faculty together with consideration for tenure on the same basis as full-time faculty.

4. Consider, in making institutional promotion decisions, the distribution of women and men on faculties by degree and by years of experience, whether or not that experience was gained at the institution that presently employs them.

5. Make tenure and fringe benefits equitable by:

   a. Extending by one year for pregnancy (up to two pregnancies) the time period allowed before decisions on tenure are made.

   b. Establishing reinstatement rights for up to two years after birth of child with no loss of seniority or other emoluments.

   c. Extending these rights to fathers who wish to undertake full time child care responsibilities.

6. Develop child care centers for faculty and students either independently or in active participation with the community.

7. Upgrade traditionally female intensive departments so that the percentage of high ranking faculty is the same as in other departments.

Research

1. Investigate and analyze negative effects, if any, on women in elementary, secondary, and postsecondary education of the following practices:

   a. the "old boy" system of referral
   b. discriminatory practices of hiring agents
   c. relevance of criteria used for hiring and promotion
   d. extent and impact of anti-nepotism rules, written or unwritten
   e. validity of belief that women lack interest in administrative positions
   f. benefits or handicaps to women applicants when school superintendents are elected or appointed
   g. validity of coaching experience as a criterion for promotion to administrative positions
   h. use of the Ph.D. as a screening devise used disproportionately against women

2. Study women in education concerning:

   a. how decisions are made, what influences decisions, interest in promotion, movement in and out of the labor market
   b. women administrators at postsecondary institutions and their opportunities for advancement
   c. employment patterns of women of minority groups in educational institutions at every level
   d. concentration of minority women in "miscellaneous and otherwise unclassified" specialties in postsecondary education
   e. changing attitudes, life, and career patterns of teachers. (This step is essential to strengthen women's perception of the acceptability and availability of changing roles and to assist men who make hiring and promotion decisions to broaden their perceptions of women's role.)
   f. life patterns of women who cut short graduate studies compared with those who complete them to determine whether differences exist in socioeconomic and/or attitudinal characteristics.

3. Identify and analyze changes, if they exist, in women's attitudes toward other women.

4. Analyze and develop remediation for the following fact: the higher the grade level to which a teacher is assigned, the lower the percentage of women teachers.

NOTES

1. Women's Educational Equity Act, Public Law 93-380, 93rd Congress, H.R. 69, August 21, 1974. Section 408(b)(1).

2. Ibid. Section 408(f)(4).

3. Hearings before the Subcommittee on Equal Opportunities of the Committee on Education and Labor, House of Representatives 93rd Congress, First Session, H.R. 208, July 25, 26; September 12, 13. See, for example, pps. 88, 279, 280.

4. Mildred Bulpitt and Johanna Prather, Norma Raffel, Mary Ellen Verheyden Hilliard.

5. Letter from Dr. William Pierce, Acting U.S. Commissioner of Education to Dr. Bernice Sandler, Chair, National Advisory Council on Women's Educational Programs, dated September 10, 1976.

6. Office of the Secretary, HEW: Kathryn M. Doolin, B. Ann Kleindienst, Sharon Rose; Office of Education: Joan E. Duval, Kathryn G. Heath, Carol J.H. Smith; National Institute of Education: Jean Lipman-Blumen, Mary Lou Randour, Corinne Rieder, Sarita G. Schotta; Office for Civil Rights: Mary M. Lepper; National Center for Educational Statistics: Diane P. Gerler, Shirley A. Radcliffe, Edith M. Huddleston.

7. Sex Discrimination in Education: A Study of Employment Practices Affecting Professional Personnel awarded to Roslyn D. Kane, Arlington, Virginia. Sex Discrimination in Education: Access to Postsecondary Education and Sex Discrimination in Guidance and Counseling were both awarded to Higher Education Research Institute, Los Angeles, California.

8. For the Employment Project: Stanlery Kruger, Mary Ann Milsap, Edward Monney, Sarita Schotta, Claudine Schweber Koren: for Access to Postsecondary Education: Doris Robert Miller, Helen O'Leary, Carol Smith; for Guidance and Counseling: Jessie Bernard, Joan Duval, William Fetters, Mary Ellen Flynn, Florence Perman.

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STATEMENT IN SUPPORT OF THE WOMEN'S EDUCATIONAL EQUITY ACT

Submitted to the
House Subcommittee on Elementary, Secondary and Vocational Education

July 26, 1977

by
Dr. Helen B. Wolfe, General Director

on behalf of
The American Association of University Women

Founded in 1882 as the first association of college and university trained women in the world, the American Association of University Women has a present membership of over 190,000 women who are organized in 1,859 branches in all fifty states, the District of Columbia, Puerto Rico and the Virgin Islands. AAUW was founded to help women to have an opportunity to prepare for college and to help women college graduates make meaningful use of their education in the professional world. These opportunities were automatically the right of men at this time. Today, over 200 years after the Declaration of Independence, over 100 years after the 14th amendment, over 50 years after women won the vote, the right of every citizen to equal educational opportunity is not yet a reality for American girls and women who represent over half our population. Although nearly 100 years have elapsed and girls are able to prepare in public schools for colleges and universities, they *still* are discriminated against in their efforts to obtain equal access to collegiate training, non-biased counseling and employment. Through a variety of projects, the American Association of University Women has dedicated itself to the elimination of such discrimination in many ways.

Among these was a 1970 survey on women in academe conducted with over 400 colleges and universities holding corporate membership in AAUW at that time. The purpose of the study, "Campus 1970, Where Do Women Stand?" was to assess the status of women on American campuses and the extent of their participation at all levels of involvement--as students, administrators, faculty, and trustees. Results of this widely-cited study identified areas of further study and suggestions for involving AAUW and its corporate member institutions in assisting women in higher education to maximize their contribution to the academic community.

Now, seven years later, Dr. Suzanne Howard, AAUW's Assistant Director of Program for Education, has replicated this study with nearly 600 of our Corporate Members. The current statistical and attitudinal study, "Campus '70; Revisited 1976," evaluates what, if any, changes in the status of women have taken place on our nation's campuses.

As a result of the WEEA and other government programs, a number of new programs, structures and practices have been initiated by colleges and universities. The study sought to identify these as a basis for guiding educational associations, Federal agencies, and women's groups in further developing program goals, projects and materials which would facilitate the attainment of women's equity at institutions of higher education. The survey also explored college presidents' perceived areas of need for compliance efforts with Title IX legislation.

The trend data and new information provided by this survey (soon to be published) have critical implications for the support of a new and expanded authorization for the Women's Educational Equity Act.

Highlights from a preliminary analysis of the results of the 1976 survey:

* Although there has been a slight increase in the number of women holding student leadership positions, it is no way proportionate to the number of women available on campus. In addition, women leaders are clustered into the less prestigious positions, such as chair of community relations or residence hall committees, rather than in the elective or appointive positions such as president of student body or chair of the campus judicial board or student court.

* With the exception of even fewer women in administrative positions, the information obtained on women in higher education administration is identical to the pattern of male leadership highlighted above for campus leadership positions.

* The data on faculty rank is a carbon-copy of the national trends: the percentage of women decreases as rank increases, particularly at some of the larger "prestige institutions."

* Although the number of women commencement speakers and honorary degree recipients has increased slightly, they are still conspicuously lacking on the campus of the 593 institutions surveyed--60 percent of the institutions gave honorary degrees to men during the three-year period, 1974-76, but *none* gave them to women in the same time period.

* The largest strides have been made in the area of women's programs and services provided on college campuses. There have been increases in:

  -- the number of women's studies courses/degrees

  -- the number of lectures, seminars and workshops focusing on women's special interests

  -- the availability of abortion counseling, birth control information, gynecological and feminist counseling

  -- services which help returning adult women

However, an analysis of the sub-groups in the sample (size, public or private, coed or women colleges) reveals that these are programs and services prevalent mainly on the campuses of women's colleges and large institutions.

* One-third of the college presidents surveyed perceived faculty and staff attitudes as the most significant obstacle to attaining equity for women.

* When asked what activities or actions have been most effective in reducing sex discrimination at their college/university, almost half of the presidents of the larger coed schools responded "Legislation."

To summarize the 1976 data, programs, services, and leadership opportunities are increasing slightly for women on the campuses but it is clear that "progress so far stops far short of equality." (Holly Knox, "Testimony on Extension of the Women's Educational Equity Act," July 14, 1977, p. 4.)

AAUW supported the original Women's Educational Equity Act authorization and continues to support WEEA and other legislative programs that promote educational equity. However, as these results illustrate, remediation methods against discrimination through laws are not enough to remove the barriers to equality. Neither are programs and services geared to women's special interests sufficient for overcoming years of unequal treatment. Neither is the sole Federal program to focus on this program, WEEA. Not one of these strategies alone is sufficient to overcome sex discrimination and sex-role stereotyping in education. *Equality for women in education must be based upon simultaneous change through all these actions and activities.* Change toward the elimination of sex role stereotyping and sex discrimination requires a variety of strategy and intervention efforts.

Therefore, we urge you to continue and increase the appropriations for WEEA. This Act is one of a number of vital strategies necessary to support and provide equality. If schools and other institutions are to contribute to the changes necessary for effective functioning of females and males in an equalitarian society, WEEA must continue to be utilized as a vehicle for reaching multiple systems. Change in sex role stereotyping and sex discrimination cannot be achieved without the involvement and continuance of WEEA.

Statement in support of the
Ethnic Heritage Studies Program,
(P.L. 92-318, §504, as amended)
for submission to the
Subcommittee on Elementary, Secondary, and
Vocational Education,
Committee on Education & Labor,
United States House of Representatives

Tarbuth Foundation, Inc.
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New York, New York 10001
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The Tarbuth Foundation, Inc. is grateful for the opportunity to submit this Statement in support of the Ethnic Heritage Studies Act to your Subcommittee which, on July 14, 1977, held oversight hearings whose subject matter encompassed this small, but vital program.

The Tarbuth Foundation is an independent non-profit organization which was chartered by the State of New York on April 18, 1961. Although based in New York, the Tarbuth Foundation has always operated in a national framework. It is dedicated to the advancement of Hebrew Culture in the widest sense of that term. Current Tarbuth Foundation programs which are national in scope include:*

-- Publications and distribution of modern Hebrew texts as described below;

-- Television programs on themes of Jewish Culture are carried daily on cable television in Manhattan and have been carried by stations in New Jersey and California;

-- Production and release of film strips of Jewish culture significance;

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* For some programs planned for the future, see Exhibit A. In addition, the Foundation has many long continued programs in and near New York City. Local New York cultural activities will increase in the fall of 1978 when the Foundation moves into the Abraham Goodman House, an eight-floor cultural center located in the heart of New York's Lincoln Center area and now under construction. The Abraham Goodman House is named after the Foundation's most prominent benefactor. For a description of some of the Foundation's strong local programs, see Exhibit B.

-- Publication and description of "Hebrew Culture Caravan", a feature supplement furnished to all Jewish weeklies in the country.

From its inception, the Tarbuth Foundation has had a continuing commitment to cultural pluralism. The reasons are not far to seek. One important reason is very well stated by Dr. Abraham Goodman, the well-known industrialist and a benefactor of the Foundation, in his remarks at the June 1976 opening ceremonies of the Foundation's "Bicentennial Exhibit" at the City Center of Music and Drama in New York. At that time Dr. Goodman said:

> "Does the concept 100% American imply sameness and uniformity? Is it desirable to homogenize all our people and make it appear as if they are all products of one stamping die or coming out of one huge melting pot? Or, conversely, does it imply a happy grouping of individuals and ethnic components, each, not only featuring proudly its differences, but anxious also to preserve them and to perpetuate them? . . . I believe that the latter approach is by far the most desirable. . . .Our [Jewish] people have, for many centuries, suffered the most inhuman treatment for the mere fact of being different. Here in the United States, our country not only tolerates our differences, but, it even gives its encouragement and offers a helping hand. . . . Here, our special ethnic characteristics are not treated as discordant notes. Instead, they are accepted as pleasing sounds that together, with the sounds from other ethnic groups, make up the harmonious national symphony."

Dr. Goodman's remarks eloquently state the ideal. Much needs to be done to translate that ideal into full reality. Dr. William Martin has stated in this Subcommittee that the Ethnic Heritage Studies Act was introduced "[i]n response to conceptual changes in American

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Society". This is putting it discreetly, indeed. Our schools for many years overemphasized, perhaps even abused, the "melting pot" approach. It requires long and devoted effort to create and preserve pride in our varied ethnic heritages and to provide for their growth. In this day and age it also requires federal support. The Ethnic Heritage Studies program is a modest start towards that support.

The Tarbuth Foundation believes that the Ethnic Heritage Studies program has done important work in stimulating the creation and dissemination of curriculum support materials and programs stressing the many, many strands of ethnic and cultural diversity that have been and are twined into the mighty rope of the American people.

This is a field in which the Tarbuth Foundation can speak as an early pioneer. Beginning in 1968, the Tarbuth Foundation has made available a five volume set of "Modern Hebrew Classics". These books were developed on the initiative of its founder, Dr. Emanuel Neuman, the veteran Zionist leader, in response to ever-growing demands for proper textbooks for the study of modern Hebrew. Each volume has been designed in such a fashion as to serve classroom needs and yet to permit students to read modern Hebrew literature at its best in the original. These volumes have already gone through several printings and more than 15,000 volumes have been printed and distributed. The series is also now available in paperback format.

We at the Tarbuth Foundation feel that this is a proud achievement. We also believe that there is much, much more primary-and-secondary school curriculum and curriculum support work which must be done. It is for this reason that we believe that the Ethnic Heritage Studies program as presently written has done good work and has much good work yet to do. Foundations like ours must be able to look for Federal support to help us continue our work.

We back the work of the program and we back its continuance beyond the end of fiscal year 1978 at at least the current funding level. The program is a valuable one, and it is one which, to be effective, must be continued over time. The very variety and diversity of the American heritage dictates this last requirement.

For instance, we have reviewed the statement presented to this Subcommittee by William H. Martin who heads up the program for the Department of Health Education & Welfare. That statement presents statistics which show the scope of the program. It also shows that no projects for the American-Jewish ethnic sector received program assistance in either fiscal year 1975-1976 or fiscal year

1976-1977. We sincerely hope that projects in this sector will appear in the future.

In the Tarbuth Foundation's own list of future projects, we think that our proposed "American-Yiddish Heritage Program", to be developed with an eye for high school classes and adult education groups, may well come fully within the scope of the program, as may other existing and future Tarbuth Foundation projects.

But the point here is not that the Jewish ethnics have (or have not) been getting their fair share of program funding. The point is that, even without funding for such an important and distinctive group, the program has during this same time offered support to no less than 34 different ethnic groupings. And this is only a beginning. There are many, many more groupings whose projects deserve support, and continuing and repeated support. The Jewish-American is one of these groups.

The point we are making can also be stated in this way. Some Federal programs must be massively designed to meet massive needs. Other programs, which in our view contribute equally to the public interest, must of needs proceed in a highly selective manner by way of numerous small grants for numerous small projects, none of which can be reduced to a formula. The Ethnic Heritage Studies program is the latter kind of program. There are times when the United States Congress can create programs which

paint with a broad brush. But that approach does not work where the aim is, as it must be in the support of our varied ethnic heritages, to preserve the "mosaic" of ethnic diversity. In a case like this, a broad brush will only obliterate the "mosaic". Only the patient production and placement of many "tesserae", the small building bricks of any mosaic, will do the job.

Authorization for the Ethnic Heritage Studies program, as this Subcommittee well knows, expires at the end of 1978. We think the program has made a good beginning. We think it equally obvious that the program must go on beyond its present authorization date. We urge this Subcommittee to report a job well-begun and to recommend that Congress entertain favorably the extension of the Ethnic Heritage Studies program in its present form.

Beyond this expression of support for the past and current work of the present program and for its extension beyond 1978, the Tarbuth Foundation would also like to bring to the attention of the members of this Subcommittee a need for a tri-partite expansion of Federal support for the many diverse American ethnic heritages. That tri-partite expansion includes the following:

--- Expansion of the present program to support curriculum <u>and</u> research developments for our many heritages at the <u>college, univer-</u>

sity and adult education levels.

--- Development of media supplements for the school-oriented approach of the present program, by way of films, television and radio formatting and tapes.

--- Beyond the existing program and beyond the areas of expansion listed above, provision for a broader-based support for all the elements of the multiple American ethnic heritages.

The first two elements of the above program are well within the scope of this Subcommittee's mandate. Although the third element may pass beyond that mandate, the Tarbuth Foundation believes that each member of this Subcommittee, and each member of Congress, should pause for a moment and consider the desirability of a "Cultural Pluralism Preservation and Development Act." (The Tarbuth Foundation includes a possible sketch of such a program as Exhibit C to this Statement.)

We recognize, however, that the Ethnic Heritage Studies program was designed for the specific purpose of reforming the overemphasis on the "melting pot" approach in the American primary and secondary schools. As the House Committee Report on the original program legislation stated: "Materials understood by elementary and secondary school students and the training of teachers in their use

are meant to be the result in these funds" (H.Rep. No. 92-554). We believe this to be a noble and necessary purpose. We believe that the program has helped, and that the continuation of the program is necessary. The Ethnic Heritage Studies program should be commended, and it should also be extended, strengthened and expanded.

EXHIBIT "A"

Plans on the drawing boards provide for

*Enlarged and intensified utilization of the media among the new TV programs this coming season figure prominently: "Jewish Life Styles in America '77/78", and heirlooms in History: Keepsakes of the Jewish Experience". New Film Strip releases will feature "Hebrew In America" and "Yiddish In America".

*National Distribution of the Foundation's radio program to general stations for inclusion in their public service schedule, and to the affiliates of National Education Radio for integration in their programs.

*National dissemination of a clipsheet for organizational bulletins to avail themselves of articles and mini-features of Jewish cultural import.

*Conference on "Arnold Schoenberg's Way as a Jew", centering around the impact of his Jewish Heritage and experience upon the composer's creativity.

*Conference on Translating from the Hebrew

*American-Yiddish Heritage Program for High School and Adult Education Groups

*Establishment of an Oral History Archive on Jewish Culture in America

*Establishment of a School for Adult Jewish Education along the lines of the "Open University" program

*Hebrew Poetry Festivals

*Yiddish Poetry Festivals

*Concerts on Jewish Folk Music

Exhibit A-2

EXHIBIT "B"

*The sponsorship and production of daily Television programs on themes of Jewish Culture over Cable Television ("Teleprompter" and "Manhattan Cable" in New York City), and of a weekly Radio program over Station WQXR. Some of these programs have been also carried by stations in New Jersey and California.

*The introduction and sustained continuation in communal camps of Jewish ethnic programs in summer camps for the young and the elderly -- ever since 1963.

*The presentation, in cooperation with the Jewish Association for the Aged (JASA) in New York, of Jewish cultural programs for the elderly -- in Old Age Homes and to Senior Citizen Groups of Jewish Community Centers.

*The publication of "Hebrew Culture Caravan", a feature supplement furnished as a public service to all Jewish weeklies in the country, and reprinted, in full or in part, by many of these newspapers.

*A major bicentennial exhibit at the New York City Center for Music and Drama with the theme:"Cultural Pluralism-America's Gift to Jewish History"- a two months exhibit in the summer of 1976.

EXHIBIT "B"

*The Sponsorship and production of daily Television programs on themes of Jewish Culture over Cable Television ("Teleprompter") and "Manhattan Cable" in New York City), and of a weekly Radio program WQXR Station WQXR.

*The introduction and sustained continuation in communal camps of Jewish ethnic programs in summer camps for the young and the elderly -- ever since 1963.

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*A major bicentennial exhibit at the New York City Center for Music and Drama with the theme: "Cultural Pluralism-America's Gift to Jewish History" - a two months exhibit in the summer of 1976.

EXHIBIT C

PROPOSAL

for an

CULTURAL PLURALISM PRESERVATION

AND FURTHERANCE ACT

I. OBJECTIVES:

1. To create a constant, public awareness of Cultural Pluralism and to further it for the broadening and deepening of America's National Purpose.

2. To promote inter-cultural understanding among the American People.

3. To project inter-cultural learning on all levels and to initiate new and intensify existing ETHNIC HERITAGE studies programs.

4. To launch and sustain inter-cultural action on a national, regional, and local scale.

II. THE SCOPE:

is national, encompassing all ethnic groups, including the Jewish-American sector.

III. SOME SUGGESTIONS FOR IMPLEMENTATION:

As to point 1 (creating public awareness)

Concerted efforts be undertaken to:

* gear the overall curriculum of the public schools to such guiding principle and to filter it to extra-curricular programs as well as to Boards of Education and to the activities of auxiliary agencies (PTA's, etc.)

* communicate to the nation's colleges the desirability of enlarging the range of their curriculum along these lines.

* enlist the participation of the Radio and Television Industry through allocating time to Cultural Pluralism programs within the framework of their "public service" obligation.

* ask the Public Broadcasting Corporation and the Public Broadcasting Service to share in the furtherance of Cultural Pluralism.

* stimulate the press for giving play to Cultural Pluralism aspects and efforts

* encourage through grants the publication of books and other literary undertakings (articles in magazines and scholarly journals) pertaining to Cultural Pluralism, its ideas, cultivation, and activation.

* seek the involvement of voluntary associations (unions, fraternal organizations, Rotary's, professional groups, etc.)

* invite the cooperation of churches, synagogues, and other religious institutions.

As to point 2 (inter-cultural understanding)

It is suggested to plan and to arrange for joint projects of ethnic groups in matters of

* social policy
* social welfare
* public works
* youth work
* talent utilization of people over 65, able and willing to work
* care for the Aged

As to point 3 (inter-cultural learning)

Special consideration may focus on

* harmonizing bi-lingual instruction within a common curriculum, so that both ethnic groups may share in it-according to local conditions.

* expanding language teaching to the study of the civilization concerned.

* giving Adult Education a Cultural Pluralism dimension.

As to point 4 (inter-cultural action)

It is proposed to

* create a National College for Cultural Pluralism studies, linked up with a research center, and Cultural Pluralism Archive

* present an Annual Intercultural Festival in Washington, D.C.

* arrange for such festivals in various parts of the country.

* institute a National Cultural Pluralism Week annually-as sort of a complement to Brotherhood Week.

A National Cultural Pluralism Authority would be established by Congress to plan and direct activities, with Regional Commissions bringing them onto grassroot level. Of course, the composition of these governing bodies would encompass both Federal agencies and representatives of the ethnic groups in the land.

PART 7: EDUCATION IN THE ARTS, GIFTED AND TALENTED CHILDREN, AND METRIC EDUCATION

TUESDAY, JULY 19, 1977

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:00 a.m., in Room 2175, Rayburn House Office Building, Hon. Carl D. Perkins, chairman of the subcommittee, presiding.

Members present: Representatives Perkins, Mottl, Weiss, Kildee, and Pressler.

Staff present: John F. Jennings, majority counsel; Nancy L. Kober, staff assistant; and Christopher T. Cross, minority senior education consultant.

Chairman PERKINS. The subcommittee will come to order.

The Subcommittee on Elementary, Secondary and Vocational Education is continuing hearings on H.R. 15, a bill to extend for 5 years certain elementary and secondary education programs that expire at the end of fiscal year 1978. Today we will focus on three programs authorized under the Special Projects Act in the Education Amendments of 1974: the Gifted and Talented Children's program, the Metric Education program, and the Arts Education program.

Under the Gifted and Talented Children's program, section 404 of Public Law 93-380, the Commissioner is authorized to make grants to State and local educational agencies for programs to meet the special needs of gifted and talented children. $2.56 million was appropriated for this purpose for fiscal year 1977.

The Metric Education program authorizes the Commissioner to make grants to educational agencies, institutions, and public and private nonprofit agencies to encourage the use of the metric system of measurement among students. $2.09 million was appropriated for fiscal year 1977.

The Arts Education program authorizes the Commissioner to arrange with the John F. Kennedy Center for the Performing Arts

for a program to encourage State and local educational agencies to establish programs in which the arts are an integral part of elementary and secondary education. $1.75 million was appropriated for this program for this year.

Today we will hear from the directors of each of these programs in the U.S. Office of Education:

Dr. Dorothy Sisk, Office of Gifted and Talented, Bureau of Education for the Handicapped, U.S. Office of Education; Dr. Floyd A. Davis, Program Manager—Metric Education, U.S. Office of Education; Dr. Harold W. Arberg, Arts and Humanities Director, U.S. Office of Education. These witnesses are accompanied by Ray Peterson, Special Assistant to the Deputy Assistant Secretary for Legislation (Education), HEW; Albert Alford, Assistant Commissioner, Office of Legislation, Office of Education, HEW; Forbes Rogers, Director, Kennedy Center; and Wendy Perks, Director, Arts for the Handicapped.

We will hear from you first, Dr. Sisk.

STATEMENTS OF DR. DOROTHY SISK, OFFICE OF GIFTED AND TALENTED, BUREAU OF EDUCATION FOR THE HANDICAPPED, U.S. OFFICE OF EDUCATION; DR. FLOYD A. DAVIS, PROGRAM MANAGER--METRIC EDUCATION, U.S. OFFICE OF EDUCATION; DR. HAROLD W. ARBERG, ARTS AND HUMANITIES DIRECTOR, U.S. OFFICE OF EDUCATION; ACCOMPANIED BY RAY PETERSON, SPECIAL ASSISTANT TO THE DEPUTY ASSISTANT SECRETARY FOR LEGISLATION (EDUCATION), HEW; ALBERT ALFORD, ASSISTANT COMMISSIONER, OFFICE OF LEGISLATION, OFFICE OF EDUCATION, HEW; WENDY PERKS, DIRECTOR, ARTS FOR THE HANDICAPPED; AND FORBES ROGERS, DIRECTOR, KENNEDY CENTER

STATEMENT OF DR. DOROTHY SISK

Dr. SISK. Thank you very much, Mr. Chairman and members of the Education Subcommittee.

Chairman PERKINS. Before you get started, I see my own former State school superintendent in the audience, Dr. Ginger from the State of Kentucky.

You go ahead, I won't interrupt you but I want to speak to Dr. Ginger just a moment.

Your full statement will be made a part of the record at this point.

[The statement follows:]

FOR RELEASE UPON DELIVERY

Statement by
Dr. Dorothy Sisk
Office of Gifted and Talented
Bureau of Education for the Handicapped
U.S. Office of Education
Department of Health, Education, and Welfare
Before the
Subcommittee on Elementary, Secondary and Vocational Education
Committee on Education Labor
House of Representatives
Tuesday, July 19, 1977
9:00 a.m.

Dr. Sisk is accompanied by:

Dr. Albert L. Alford, Assistant Commissioner, Office of Legislation, Office of Education, HEW

Ray Peterson, Special Assistant to the Deputy Assistant Secretary for Legislation (Education), HEW

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Mr. Chairman and Members of the Subcommittee:

The Office of Gifted and Talented was established within the U.S. Office of Education by the Commissioner in 1972 as a result of the need for Federal assistance established by the Report to Congress on Education of the Gifted and Talented, March, 1972. Direct legislative authority was first provided in 1974 under Section 404 of the Education Amendments of 1974 (P.L. 93-380). Some optional authority for the States existed for some time under the old Titles III and V of the Elementary Secondary Education Act.

During FY 1976, the first year of funding, the allocation for the gifted and talented program was $2.5 million. Funds were awarded to 53 projects throughout the United States, including six model projects (Subpart F, Sec. 160B.51), 25 States projects (Subpart C, Sec. 160b.21), 18 local educational agencies (Subpart C, Sec. 160b.23), three leadership training institutes (Subpart E, Sec. 160b.41) of which there is one program for graduate training at the masters and doctorate level, one internship program and one training institute. Additionally, a contract was awarded for the development of information services under Subpart B Sec. 160b.11.

Major objectives for programs at the State level included implementation of service programs, provisions for pre-service and in-service training, establishment of model demonstration programs, and arrangements for dissemination of ideas and materials. State plans have included such project titles as In-service Training for Teachers, Student Service Centers, Statewide Capacity Building for Gifted and Talented Children, Mainstreaming Project, Regional Leadership Clusters Project, Multi-State Consortium, and various other overall State programs.

Model projects and local education agencies displayed a wide range of innovative methods of educating gifted and talented students. Diverse areas of gifted and talented are representated by programs for the arts, science, language arts, bilingual and career education at the preschool, elementary,

and secondary levels. Examples of model projects have included one which identifies gifted and talented culturally diverse urban youth through theater techniques and development of academic, artistic, dramatic, musical, and literary forms of expression. Another focuses on developing procedures for early identification of gifted and talented preschoolers in a rural setting with follow-up programming provided upon entrance into first grade.

Other projects at local levels have concentrated on reaching and identifying the gifted and talented of particular cultural groups such as Hispanic Americans, Indians, and Appalachian children. These programs were designed to encourage the development of children's strengths in such areas as leadership, creativity, and knowledge of their culture.

Finally, the National Training Institute on Gifted and Talented and the Policy Fellows Program are two programs which provide opportunities for individuals committed to the training of leaders in gifted education through involvement in administrative positions which influence education for the gifted and talented. Additionally, fellowships for graduate training leading to a degree are offered by the National Graduate Training Program.

Sixty-eight percent of the (FY 76) funding of the Office of Gifted and Talented under P. L. 93-380 was expended to strengthen state departments of education to comprehensively serve the gifted and talented in their states. The twenty-five states funded are listed below: Alabama, California, Colorado, Florida, Georgia, Hawaii, Idaho, Iowa, Kentucky, Maine, Maryland, Massachusetts, Mississippi, Missouri, Nebraska, New Jersey (a consortium serving Connecticut, Vermont, New Hampshire, Rhode Island, and New Jersey) New York, North Carolina, North Dakota, Pennsylvania, South Carolina, South Dakota, Texas, Wisconsin (a consortium serving Minnesota, Ohio, Michigan, Illinois, Indiana, and Wisconsin)and Wyoming.

In 1972, there were 12 full time state consultants for gifted and talented. As a result of the new legislative authority and the emphasis placed by the Office of Gifted and Talented on state leadership, there are now 20 full time state consultants in Gifted.

In FY 1977 the Office of Gifted and Talented has recommended 20 state continuations and 11 new state awards. The Office of Gifted and Talented's major goal is to encourage and support every state in its effort to 1) plan a comprehensive delivery system for gifted and talented, 2) plan and provide inservice training for teachers, and 3) develop model programs for exemplary services.

Since the first year funding there have been some dramatic changes as a result, for example:

(a) In the state of Pennsylvania, where gifted education is under special education with its special mandate, the Pennsylvania project has provided a second state person who has held statewide technical assistance workshops on teaching strategies for gifted and due process training sessions. The number of children served has grown from 20,000 to 29,000. It is estimated that one-third of the gifted have been identified and served in Pennsylvania.

(b) In New Jersey where the consortium serves five states (Rhode Island, Connecticut, Vermont, New Hampshire, and New Jersey) a state consultant has been hired as a result of increased awareness. That is also true of Vermont.

(c) The Wisconsin consortium which serves Ohio, Illinois, Indiana, Michigan, and Minnesota is a fine example of state cooperation. All of the states have full time state consultants, with one consultant as a direct result of the project, that of Ohio. Their unique strengths compliment one another. In Minnesota, they are building a model program for acceleration in science and mathematics. In Ohio, they have the Martin Essex Summer

School for Gifted and outstanding teacher inservice. Illinois, is holding inservice summer leadership training for the states involved in the consortium with national leaders in gifted impacting over 1,000 classroom teachers in their own states. The number of gifted served has grown by 60% in the five states. Appropriations more than doubled in the state of Ohio for gifted as a result of the project.

The local funding efforts have stimulated activity in crucial areas such as identification of gifted and talented in minority groups. A project in Philadelphia is working on identification procedures with Puerto Rican youngsters and a service delivery system. They report that for the identified children performance in the regular classroom has improved as a result of the gifted program experience.

Another fine LEA program is the Indian project in Duluth, Minnesota, which has identified Indians who are gifted and developed a specific curriculum to stimulate further development of their potential.

The model projects have proved to be quite effective in disseminating ideas. The Model Project in New York City, the Bronx High School of Science, reports excellence of the 100 students involved in the project can be seen from the fact that 27 students were selected by Westinghouse's honor studies and seven of the 40 Westinghouse finalists were from the Bronx High School of Science.

Another fine model project is that of Connecticut focusing on creative arts. This project represents a cooperative effort between the private sector, The American Shakespeare Theatre, and the New Haven Public Schools. Through theatre techniques, they are identifying disadvantaged gifted in the visual and performing arts.

Another crucial thrust for the Office of Gifted and Talented is teacher training. The Office of Gifted and Talented funded three types of training, including a traditional teacher training program that has supported six fine young people at Teachers College, and an intern program at George Washington University with 24 interns. The third type of teacher training as an inservice effort is exemplified by the leadership training institute in Ventura, California which has worked with over 5,000 teachers, and delivered over 20 major conferences and two inservice days to each state department. Its impact has been phenomenal.

An information services contract has conducted a national survey of programs in the United States and is producing over 20 different kinds of brochures that can be disseminated to parents, teachers, and the general public on identification, teaching strategies, and parent intervention techniques, as well as a monograph on disadvantaged gifted.

We have made considerable progress but we still have much to do; the 1972 Marland report indicated that 4% gifted children were being served, and that figure has since risen to 14% as reflected by the 1977 reports to the Office of Gifted and Talented. However, this still leaves 86% not being served. The Office of Gifted and Talented's goal is to work to see that every gifted and talented youngster in the United States is served.

Dr. SISK. First of all, I would like to point out the fact that the majority of the funds (68 percent) that the Office of Gifted and Talented OGT) had for awards fiscal year 1976 and fiscal year 1977 will be used for state support. Our thinking is that strengthening the States will provide a more comprehensive approach to the development of gifted and talented programs.

OGT awarded $240,000 to local education projects for stimulating innovative development, and $240,000 for six model projects. State and local surveys indicate that in many cases States and local education agencies would like to try new and innovative approaches but need exemplary projects for guidance. Consequently OGT awarded six projects in areas such as early childhood, the handicapped, and the disadvantaged, which are priority areas in the Office of Gifted and Talented.

OGT also emphasizes teacher training, utilizing three major ways to accomplish teacher training. One is the traditional teacher educational program. The second is a program which is intern training because we know many people who would work in the field of the gifted would not need to earn another degree, but need further skills in the area. The third one, is basically inservice.

To give you some idea of what our program has accomplished, I would like to highlight a few successful projects. For example, when the gifted and talented program was first started after the 1972 report to Congress, there were approximately 4 percent of the gifted youngsters in the United States being served. As a result of the work of the Office of Gifted and Talented, under Public Law 93-380 we have now moved this service figure up to 14 percent. That probably sounds like a large number. However, if the records that are coming in from the States and from the local projects are examples, full-time programs for gifted youngsters are also reported in the same manner that part-time one-hour projects are, so that those figures are somewhat misleading.

I would like to impress upon the committee that this means that 86 percent of the gifted and talented youngsters in the United States are still not being served.

To highlight several of the projects, I would like to comment on the Wisconsin Consortium, particularly because it is cost effective. It serves Ohio, Illinois, Indiana, Michigan, and Minnesota. We have found through the six States cooperating with one another it has stimulated the development of enough interest to have two more state consultants. In fact, when our program was first started we had 12 full-time State consultants. We have now moved to 20. I think this indicates a growth in the level of interest in the States.

This is also true in the consortium that is being chaired by New Jersey as the fiscal agent which serves Rhode Island, Connecticut, Vermont, and New Hampshire. Out of this, two state consultants have been hired, one in New Jersey and one in Vermont.

To indicate the growth of programs for the gifted in the States it might be interesting to point out that in Wisconsin the number of gifted that have been served has grown by 60 percent from fiscal year 1976 to fiscal year 1977. In other words, 60 percent growth in the number of children that have been identified and served.

Without doubt one of the State leaders in gifted education is the State of Pennsylvania, where we do have a State gifted project. Pennsylvania reports that they have identified one-third of their gifted, and the number of children served as a result of the State project has grown by 9,000, going from 20,000 to 29,000.

When you think in terms of 14 percent of the gifted children being served and 29,000 coming from one State, that certainly indicates the strength of the State of Pennsylvania.

The local projects are interesting in terms of the fact they are working with minority groups and with areas that are of importance as far as priority areas. One example is that of Philadelphia. In Philadelphia, the director of that project reports that as a result of a test that has been instituted to identify gifted Puerto Rican youngsters there are now a significant number of gifted Puerto Rican children in the program whereas in fiscal year 1976 there were none. The director also reports that these children are doing much better in the regular classrooms as a result of this supplementary experience.

OGT is also extremely pleased with the Duluth, Minn., project, which is an Indian project. This project has proved to us that there are gifted and talented youngsters on the Indian reservations. This is an area in which we would like to increase our efforts.

Another exemplary project is the Bronx High School of Science project in New York City; this is a high school that has been one of the finer programs that the local schools have been able to fund. It was for that reason that on the Bronx High School was funded by a model project. Bronx High School reports that they have sent out 11,750 exemplary cirriculum guides to curriculum directors and have had more than 500 requests for materials. OGT even more pleased with the fact that 27 of the students that were selected by Westinghouse as honor students are from the Bronx High School of Science, and 7 of the 40 Westinghouse finalists were from this program.

Lastly, I would like to share with you the Creative Arts project in Connecticut. One of the problems the field of the gifted has is that many educators still equate giftedness with intellectually able youngsters and are not adhering to the Office of Education's broadened definition which includes the creative and those with psychomotor, visual, and performing arts aptitudes. It is through the creative arts model project in Connecticut that OGT has begun to involve people with thinking in terms of creativity as gifted as well as the intellectually able.

The Connecticut project is using theater techniques to identify and serve the creatively gifted. This is an interesting project for us as it is a cooperative effort of public and private associations, involving the Center for Theatre Techniques in Education and the New Haven Public Schools.

I would like to again point out that as a result of the Special Projects Act emphasis on the gifted, we have increased the number of gifted children served from 4 to 14 percent, we have increased the number of State consultants from 12 to 20, and the total service effort from the States has increased to the point that we can actually say there are only 86 percent of the children that are not being served.

Thank you very much for this opportunity to speak with you.

Chairman PERKINS. We will now hear from Dr. Davis.

STATEMENT OF DR. FLOYD A. DAVIS

Dr. DAVIS. Thank you, Mr. Chairman.

[The statement follows:]

FOR RELEASE UPON DELIVERY

Statement by
Floyd A. Davis
Program, Manager - Metric Education
U.S. Office of Education
Department of Health, Education, and Welfare
Before the
Subcommittee on Elementary, Secondary, and Vocational Education
Committee on Education and Labor
House of Representatives
Tuesday, July 19, 1977
9:00 a.m.

Dr. Davis is accompanied by:

Ray Peterson, Special Assistant to the Deputy Assistant Secretary for Legislation (Legislation), HEW

Albert L. Alford, Assistant Commissioner for Legislation, U.S. Office of Education, HEW

Mr. Chairman and Members of the Subcommittee:

I am pleased to have the opportunity of presenting testimony concerning the Metric Education Program of the U.S. Office of Education. I would like to begin by briefly discussing the matter of "Why we have to go metric?" It is a perfectly natural question which expresses the concern of the majority of our citizens whenever any major change is undertaken.

As a prelude to any discussion about the metric system of measurement, it should be emphasized that the United States is in fact going metric, and the main issue is how to expedite the change with the least cost and disruption to the current status of a number of activities. The decision to go metric has been given serious consideration for many years and has been endorsed by the Congress on a number of occasions. A few of these occasions were:

--In 1866 the Congress enacted a law which made it lawful throughout the U.S. to employ the Metric System.

--In 1893 the Secretary of the Treasury issued an order to establish the international metre and kilogram as "fundamental" standards of length and mass with the yard and the pound defined as definite ratios of the metric standards.

--In 1968 the Congress directed the Secretary of Commerce to undertake the U.S. Metric Study to evaluate the impact on America of the metric trend and to consider alternatives for national policy;

the report of this study, published in 1971, recommended that the Nation change to the metric system under a coordinated program.

--In 1974 the Congress enacted Public Law 93-380, the Education Amendments of 1974 which established a Metric Education Program designed to encourage educational activities to help individuals to convert to the modernized metric system with ease and facility.

--In 1975 the Congress enacted the Metric Conversion Act, Public Law 94-168, which committed the Federal Government to a national policy of increasing use of the modernized metric system in the country and provided for the establishment of a United States Metric Board.

There are several good reasons why metrication is upon us and why it is beneficial to the Nation. The principal reason is economic. Most of our large companies, the so-called multinationals, have in recent years come face to face with the problems of the use of dual measurement systems and dual engineering standards, that is, those based on inch-pound modules as well as those based on metric modules. Our large companies operating on a global basis find that every other Nation is either metric or is in the process of completing its metric changeover program. These large companies have determined that it is more economical and expedient for them to work with only one measurement system and one set of engineering or product standards. In fact, the ultimate goal of industry is to have only one set of worldwide

engineering standards or common parts with which to design and assemble their manufactured products in any country in the world.

The general approach for most companies as they undertake metrication, is to make all new designs using metric units. This is a common sense approach which follows the "rule of reason" and keeps costs down. Generally, the metric design costs are no higher than any other new design costs incurred when using customary units.

At this point the skeptic may say, "So what, there are now only a few hundred 'multinationals.' Let them do what they want, this won't affect me, and I couldn't care less what they do." The fact is, however, that what the multinationals do has a decided bearing on the economy and directly or indirectly on the well being of every United States citizen. Take for example the case of General Motors Corporation which announced its metrication program in 1973. GM has about 47,000 suppliers of parts and services from large to small who are located in hundreds of different towns and cities throughout the Nation and the world. Today these suppliers, if they expect to sell to GM, must work with metric drawings. Their employees must have an understanding and working knowledge of certain standardized international metric units. Nothing brings this closer to home than the fact that full employment and good paychecks depend on a company's ability to remain profitable by being able to sell its products overseas as well as domestically.

Many graduates of our school systems are already being required to demonstrate a working knowledge of metric units when they seek employment

with large companies and the suppliers serving them. This trend will rapidly accelerate, so it is incumbent on our schools to present SI metric units in all the curricula. Interestingly enough, the overwhelming majority of workers who now use metric units on their jobs have experienced no difficulties and in fact prefer to work with them rather than the familiar U.S. customary units.

The second important reason for going metric involves the ease of measuring and calculating with the new units. After the temporary learning and adjustment period has passed, the benefits of this simplicity will facilitate the task of teaching metric measurement concepts and practices to children. For example, rather than using 12 different measurement terms to express linear measurement, metric measurement involves only one term plus three prefixes for the majority of applications.

A third reason is for purposes of universality. After the United States has completed its metrication program, practically the entire world will be using a common measurement--the metric. This will result in improved communications between Nations as well as between different sectors of society within the United States. In addition, our many citizens traveling abroad will no longer be intimidated by strange measurement units in their shopping and driving and in their deciphering of weather reports.

As stated earlier, the Nation is in fact going metric. It would be uneconomical to continue to operate the society with two measurement systems. For this reason, metric units must be introduced in all walks of life

with the goal of phasing out the use of U.S. customary units as soon as it is practicable to do so. Experience in other major Nations that are implementing the SI has shown that workers are more efficient in the use of metric measurement units on their job if they also use them in their non-working activities such as in sports and hobbies. Most persons will need to learn little more than metre, litre, gram, and degree Celsius plus the numerical value of a few common decimals.

In view of the foregoing conditions the Congress in 1975 passed the Metric Education Act and subsequently the Metric Conversion Act.

I am pleased to have the opportunity to share with you information and concerns for metric education as director of the U.S. Office of Education's Metric Education Program.

The Program

The Metric Education Program is one of the seven (7) legislatively mandated programs funded under the Special Projects Act of 1974 (Public Law 93-380; Title IV, Part C, Section 403). It is the outgrowth of a decision made by the Congress that there was need to prepare American students to effectively use metric measurements. The urgency is based on the fact that there is an inevitable conversion of the United States to the metric system.

Public Law 90-472 assigned a study to the Department of Commerce on the feasibility of this country going metric as well as the identification of the consequences if we fail to do so. That study consisted of many parts generated by several subcommittees. The components of the study represent many walks of life as well as several areas of national endeavor, education being one. The transmittal of this report to Congress set forth the following findings:

1. the metric system of measurement is in general use in industrially developed Nations and its use is increasing;
2. increased use of such metric system in the United States is inevitable, and such a metric system will become the dominant system of weights and measures in the United States; and
3. there is no existing Federal program designed to teach children to use such metric system and such a program is necessary if the American people are to adapt to the use of the metric system of weights and measures.

Based on these findings, Section 403 of the Education Amendments of 1974 states that, "It is the policy of the United States to encourage educational agencies and institutions to prepare students to use the metric system of measurement with ease and facility as a part of the regular education program."

Pursuant to the attainment of national goals in this regard, the Metric Education Program has operated in response to a national metric

education need with an appropriation of $2,090,000 for each operating Fiscal Year 1976-1977.

The stated purpose of the program is "to encourage educational agencies and institutions to prepare students to use the metric system of measurement, with ease and facility as a part of the regular educational program . . . ." Grants may be made to State and local educational agencies, institutions of higher education; and nonprofit public and private groups, institutions, and organizations.

For operational purposes we have separated the authorized activities into four basic categories or types of projects. They are:

(1) State and multi-State cooperative planning programs directed by State educational agencies;

(2) school-based interdisciplinary programs, operated by local educational agencies;

(3) teacher pre-service and in-service training programs, conducted primarily by colleges and universities; and

(4) a national metric education technical support project.

Nonprofit public and private groups, institutions, and organizations are eligible to apply for grants in all four of the above areas. Fiscal Year 1976 was the first year for Metric Education Program awards. The appropriation for FY 1976 was $2,090,000. Of the 585 applications submitted, 72 grants were awarded. Twenty-two totaling $657,195, went to State educational agencies; eight, totaling $409,994, to nonprofit public and private

groups, institutions, and organizations; fourteen, totaling $289,539, to local educational agencies; and twenty-eight, totaling $644,209, to institutions of higher education. In addition to the 72 grants, an interagency agreement with the National Bureau of Standards provided $35,000 for training State weights and measures officers, and $54,063 was allocated to contracts for developing information and training materials and for setting up regional workshops.

The appropriation for the current year (FY 1977) is $2,090,000, the same as for FY 1976. Six hundred fifteen applications were received. We are now engaged in the final negotiation process with successful applicants and are unable to make final statements on the projects approved. In general our rate of approval will be about the same as last year. It is anticipated that within the approved list for FY 1977, there will be more local educational agency based projects and perhaps fewer resources will be committed to the States. The reason for this adjustment is that the rather heavy start up costs of beginning projects in State educational agencies do not occur for the second year, therefore, more funds may go to local educational agencies.

The following material provides more detailed information concerning our granting activity in the Metric Education Program for Fiscal Year 1976.

State Educational Agency Projects

Thus far, commitment for implementation of metric education projects in 40 States has been achieved through the respective State departments of Education. A total of $657,195 has been used to support the 40 State

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education agency projects. Through this means we believe that a maximum impact is being realized from a minimum appropriation.

An example of a typical project in this category is the one in operation in the California State Department of Education. This is a consortium type project which California operates in behalf of themselves and nine other western States. The goals of the project are to use the pyramid arrangement to train trainers of teachers each of whom is then obligated to train ten additional ones and so on. Additional activities of the project include the development of guidelines for teacher certification, the development of a model for creating a State advisory metric committee, and developing a model State implementation plan for introducing metrics on a cradle-to-the-grave basis.

Local Educational Agency Grants

The Metric Education Program awarded grants to 14 local educational agencies for Fiscal Year 1976 and will award an increased number to local educational agencies for Fiscal Year 1977. These grants in the main provide for school-based interdisciplinary projects involving in-service teacher development, local programs of instruction for the elementary and secondary student population, and metric education opportunities for parents and other adults. By the end of FY 1977, either directly or indirectly, approximately 75 percent of the more than 16,000 local public school systems will have received some benefits from the program. Local school systems have participated in workshops held by State educational agencies and institutions of higher education, and have available for their use curriculum guides, State

plans, and instructional materials produced by these grantees. In addition to the Federal funds involved, local educational agencies have devoted scarce local funds to conducting metric workshops and parent and other adult-oriented activities such as PTA metric nights and metric fairs at shopping centers in response to critical staff development needs and community requests. And the pace of these activities is increasing, as the demand is increasing.

Higher Education Grants

In FY 1976, we funded approximately 72 training grants, 28 of which went to colleges and universities. These institutions were geographically spread throughout the United States thereby getting the maximum impact from a minimal amount of Federal dollars. Grants funded through the colleges and universities included school-based interdisciplinary projects, inservice activities, and pre-service interdepartmental actions. Among other things, some of these grants are responding to the metric educational needs of parents and other adults not directly related to the school system.

The overall thrust of the Metric Education Program is to train teachers to be able to involve students in learning the metric system of measurement. In our view this is where the colleges and universities can make the most impact by training teachers and teacher trainers in the use of the metric system. This enables them to return to their respective school districts or agencies to train other teachers as well as students and adults of the

community, creating a multiplying effect whereby in a relatively short period of time everyone involved will have an opportunity to become trained in the use of the metric system of measurement. This approach has proven over the first funding cycle to be very cost effective.

Also, inservice workshops were held at various colleges and universities to provide a hands-on type of experience for teachers to learn the metric system. The workshops also provided measuring apparatus, films on the use of metric measurement, lectures by experts in the field, and interdisciplinary approaches as it impacts on different disciplines. An abundance of training guides were derived from these workshops, for teachers to use as base material in their respective schools.

Nonprofit Organization Grants

The Metric Education Program provided eight (8) grants to nonprofit organizations during Fiscal Year 1976, for a total of approximately $410,000. This represents approximately twenty percent (20%) of the total appropriation for the Metric Education Program.

The Minnesota Metric Council which operates in association with the Minnesota State Department of Education and the University of Minnesota is a nonprofit group which received metric education funding support. This group assisted extensively in the development of a Statewide master plan for metric education in the State of Minnesota. This agency received approximately $24,000. It will have an impact on every school district within the State of Minnesota. Obviously the per capita investment

of the Federal dollar is minimal, while the enduring and residual affects of the metric usage through metric education will be significant and will be benefical to citizens and students in years to come.

Another funded nonprofit agency is the AFL-CIO Appalachian Council metric education program which received approximately $24,000. As an arm of organized labor, the Council is concerned with the total welfare of the 5,500,000 union workers in the 12 southeastern States. It is a non-profit educational organization, but part of its endeavor focuses on the betterment of working people. It provides educational and training services to a substantial portion of the population which is generally unable to take advantage of programs provided by traditional educational systems. Through its ongoing training program, the Council is in an advantageous position to introduce metric education to individuals in the Appalachian Region who will in one way or another, be affected by the conversion of industry to metric measurement. The Council plans to reach these individuals by incorporating metric awareness and education into its programs, thereby providing training opportunities available to the total union membership.

The interest has been high among the nonprofit groups. This is demonstrated by the fact that in Fiscal Year 1977 we received again a very significant number of applications from this segment of eligible agencies.

Through the nonprofit agencies, metric educational opportunities are made available to persons who, based on their normal work affiliations, would not be eligible to receive training benefits. The nonprofit groups, however, provide such opportunities through successful application efforts

for grant awards tailored to respond to the needs of their various and diverse constituencies. These persons are also the parents and adults from the general population. The metric training that they receive can serve as a stimulus for reinforcing the metric educational experiences that the K-12 students receive in the Nation's regular classrooms.

Mr. Chairman this concludes my statement on the status of the Metric Education Program. I shall be happy to try to answer any questions the Subcommittee has about the program.

Dr. DAVIS. I am very pleased again to appear before the committee to talk about metric education and to give you a status report on metric educational activity around the Nation. Metric education was established under Public Law 93-380 in response to what had been determined by a congressionally appointed study by the Secretary of Commerce to determine the feasibility of going metric and also to identify consequences for the country if we failed to comply with certain national and international trends in this regard.

Based on that study it was found that, one, there was no uniform system for training American citizens to learn the metric system, and two, there was an inevitability that we would be going metric and certainly some effort had to be gotten underway to satisfy attendant educational needs.

Authorized under this law was $10 million, of which $2,090,000 was appropriated for each fiscal year of the program's 2 years of operation. We have received a very high response from the public in the area of metric education. During fiscal year 1976 we received more than 585 applications, of which 72 were funded and for fiscal year 1977 we received 631 applications, of which we have recommended 76 for funding. As negotiations are still under way, we have no final statement as to what the actual count will be.

It is interesting to note, however, that the dollar value of the requests that have been made to the program to date have exceeded our ability to provide funding support by approximately 90 percent, with funding requests of over $20 million for each year. There are a significant number of initiatives taken voluntarily at the State and local levels. Some of these activities have had no Federal support whatsoever while there are other little cadres and pockets of activity where some States and local districts as well as colleges and universities are waiting to see what the Federal Government is going to do.

A change in the Nation's measurement system is a change that affects the entirety of the population. Its impact does not depend on how well educated an individual is. Its impact does not depend on how economically well fixed an individual is. A change in the system of measures is a change that every person in the United States as well as other persons affiliated officially or unofficially with this country and its trust territories and possessions will have to acquire effective skills to deal with.

For that reason, then, we have identified four categories of eligible activity or allowable activity which we feel will approximate meeting the Nations metric education needs. We provided grants to colleges and universities to increase the capacity of educational personnel to deal with the training of students in the regular classroom as well as adults from the general population.

In the area of the States, State departments of education have applied heavily for funds from the Metric Education program. I am pleased to announce that during fiscal 1976 more than 40 State educational agencies benefited from grants from the Metric Education program, either directly through grants to the State or indirectly through participation in State consortial grants.

Their main activity is to develop strategies and statewide interdisciplinary master metric educational plans. These plans, when disseminated throughout the local school districts within the State will provide guidance to State superintendents and curriculum directors so that in a very easy way metric education can be infused into the regular curricula of these schools, both public and private.

In the nonprofit sector, organizations throughout the country have been very interested in the impact that metric conversion will have on their constituents' particular areas of endeavor. These range all the way from nursing organizations to engineers, to chemists, to traffic control personnel, to driver educators, to the building industry, to manufacturers, to publishers, across the board.

One very intersting project that we supported was one with the American Federation of Labor, the AFL-CIO Appalachian Council. That council received a grant from the Metric Education program, and, through the work of its Joint Apprenticeship Committees, was able to train almost 1,000 persons who will provide labor to the job force of the Nation.

In addition to these areas, the nonprofit institutions, the state departments, of education, and institutions of higher education, the Metric Education program awards grants and contracts to local educational agencies. For fiscal years 1976 and 1977, approximately 75 percent of the more than 16,000 school systems in this country were served either directly or indirectly by grants and contracts from the Metric Education program. As a result of these four categories of eligibility, opportunities are made possible for persons throughout the country to receive benefit from different types of grants and contracts.

A person who might be in a profit-making organization who would not by law benefit or profit from these activities is able to benefit because of his affiliation with nonprofit organizations. From a more educational standpoint this segment represents parents from the community who, upon learning the metric system, can augment the training that students get in the regular classrooms of our Nation's schools.

A measurement system is essential to any country. It is essential to the integrity of a nation's reputation as far as international trade is concerned. Certainly from an economic standpoint if our citizens learn the metric system, our Nation being one of the last countries to convert or make official moves toward conversion based on the Treaty of the Meter which we signed, along with other countries in

1875, we would certainly feel there would be inceased marketability for products produced in the United States. This creates jobs, it brings in tax revenue, and it contributes to the stabilization of the national and local economies.

It also means you can enhance the quality of life. Right now in this country we are having to maintain dual inventories on many of the products we produce. U.S. citizens are very familiar with the American customary system of measuring. At the same time, to respond to international markets, they are producing goods on the metric system. Look how many jobs could be produced, consider how much money could be released to improve products through research if we could move to one system, namely, the International System of Units.

Just to cite some of the exemplary projects that we have funded, let's take the higher education area. Morehead State College of Kentucky has been able to train a great number of teachers who will train other teachers in the local school district based on a multiplier effect. This kind of spin-off reduces th per-capita training costs tremendously. In California and Connecticut we have State Departments of Education Consortia. The State of California's Department of Education conducts Consortium West, made up of 10 states including Alaska and Hawaii. The Connecticut State Department of Education Consortium consists of 9 states, including most of the New England States. Realizing the need to capitalize on the small count of money that the Metric Education program has to impact on the Nation's requirements for metric education these States will, enmasse, develop two separate high impact master metric education plans. Once these plans are approved, and I might add that they are now moving to closure, 19 states will have some guidance for infusing metric measurements into the curricula of the the several districts so affected. They will then, with a greater sense of direction, be able to implement effective metric instructional programs.

To take a closer look at local education agencies, States such as California, Alabama, Texas, North Carolina, or Mississippi State level Metric Information Centers have done such remarkable jobs at training parents and adults in the regular classroom that Mississippi in particular has been identified as potential national metric education model. We are extending this project for one year so that validation of some of the techniques that have been identified and practiced through that project can be accomplished. The project at Pago Pago, American Samoa has overcome many geographic and cultural constraints to accomplish a tremendous level of success.

We are very pleased with what we have been able to accomplish. We are, however, very concerned that while metric conversion is an inevitability for this country, our resources are critically insufficient to accomplish the educational task in timely fashion. We are trying our best to focus on as many alternatives and strategies to get that mission accomplished at the lowest cost to the people of this country. The National Metric Education Technical Support grantee, under the leadership of the American Institutes of Research in association with Stanford University and the U.S. Metric Association has, through the provision of technical assistance and

consultants, significantly increased the quality of metric educational planning and training experiences.

I think we have been able to do it by identifying resources that are already in place in all of these educational agencies. We have encouraged these agencies and nonprofit groups to mobilize their resources so they may begin to respond to the metric education requirements of their constituents. We can, then, through the use of such cost saving approaches, continue to fulfill the mission of our legislation; that is, ". . . to encourage educational agencies to teach students and adults with ease and facility."

Thank you for the opportunity to make this statement.

Chairman PERKINS. You made a very good statement.

We will now hear from you, Dr. Arberg.

STATEMENT OF DR. HAROLD W. ARBERG

Dr. ARBERG. Mr. Chairman, members of the subcommittee, I am pleased to have this opportunity this morning to discuss the Arts Education Program of the U.S. Office of Education.

This program is authorized by section 4090 of the Education Amendments of 1974 (P.L. 93-380).

This law provided not only the first categorical support for the arts in elementary and secondary education, but also, for the first time, modest leverage to encourage States and school districts to develop comprehensive arts education programs. When the law was enacted, educators called the program a "breakthrough," "revolutionary," and "a marvelous door-opener." They applauded this "attempt to develop a grass-roots arts education movement at State and local education levels," noting that while many schools have had art and music programs for a long time, their approach was "very elitist." Others mentioned that the integrated approach, which has had considerable success abroad, greatly improved a child's communicative and academic skills, attendance record, and self-esteem.

I might say parenthetically Mrs. Mondale, speaking recently at Carnegie-Mellon, made reference to the need for a closer cultural partnership between the government and the people. "The key to the collaboration is the role of arts and education on local, State, and national levels," she said.

Section 409 of the Education Amendments of 1974 guarantees a minimum of $750,000 each fiscal year "to encourage and assist state and local education agencies to establish and conduct programs in which the arts are an integral part of elementary and secondary school programs." The 2-sentence statute stipulates that the Commissioner carry out a program of grants and contracts "through arrangements with the John F. Kennedy Center for the Performing Arts."

The Center's Education Director, Mr. Forbes Rogers, is with us this morning.

The statute gave strength and focus to a cooperative arrangement between OE and the Kennedy Center which began in 1973. Informal cooperation was prompted by (1) the Kennedy Center's direct mandate (section 4, Public Law 85-874) to develop programs for children

and youth "designed specifically for their participation, education, and recreation." and (2) OE's broad responsibility to strengthen education in all fields, including the arts. Beginning in 1973, OE committed salary and expense funds to hire a coordinator and to develop program concepts; the Kennedy Center contributed offices for a small staff and space for performances and exhibits.

Assistant Secretary of Education Sidney P. Marland, Jr., announced a mechanism for cooperation, called the Alliance for Arts Education (AAE), in April 1973. At first, AAE's goals were to increase student participation in Kennedy Center activities and establish the Center as a national focus for strengthening the arts in education. Later, in response to expressions of need from the field, AAE assumed the responsibility of representing many organizations and individuals concerned with arts education, and its objectives broadened.

In October 1973, Congress earmarked $500,000 from fiscal year 1974 salary and expense funds specifically for "realizing the aims and goals of the Alliance for Arts Education." AAE expanded its staff, began sponsoring festivals, demonstrations, and performances at the Kennedy Center, and subcontracted with State departments of education to organize arts and education resources into state-level AAE committees. OE contributed an additional $110,000 later in fiscal year 1974. The following year, fiscal year 1975, $500,000 was again included as a line item in the Commissioner's salary and expense budget. When section 409 became effective, beginning with the appropriation for fiscal year 1976, OE asssumed responsibility for obligating funds to State and local education agencies.

The Center's education staff, through the AAE, helps with aplication review and provides grant recipients with technical assistance and information.

The total appropriation for grants to State and local education agencies in 1976 and 1977 was $750,000. Congress authortized, in Title V of the Arts, Humanities, and Cultural Affairs Act of 1976 (Public Law 94-462), an additional $2 million for 1978 over and above amounts authorized in the original law. However, the Administration did not request funds under this new authority, and 1978 funding for the arts education grants program is expected to remain at $750,000.

In the fall of 1976, Congress provided an additional $1 million in operating and program funds for the Alliance for Arts Education ($750,000), and for the National Committee/Arts for the Handicapped ($250,000). Then, in the spring of 1977, the Senate and House Appropriations Committees recommended a $250,000 increase in the amount provided for the National Committee/Arts for the Handicapped.

The director of that committee is also with us this morning, Ms. Wendy Perks.

Information on both the National Committee and the Alliance for Arts Education is included with this overview. The Arts and Humanities Staff contracts with these two organizations, and they in turn subcontract for projects to achieve their specific goals.

The funding history of the Arts Education Program is shown on the chart at Appendix 1 to my testimony.

When the Section 409 program began, there was no history of Federal involvement in comprehensive arts education programs. The arts and artists were infrequent components in OE programs (for example, since 1974, ESAA funds have supported Special Arts projects which employ artists to assist school districts in desegregation programs), and the Artists-in-Schools Program of the National Endowment for the Arts was the only federally sponsored program concerned with the arts in schools. But AIS concentrates on the role of the artist and performer in arts education, whereas the section 409 statute mandated a comprehensive and integrated arts education, including, of course, the artist as one important resource.

The program needed substantial interpretation: What is integrated arts education? How are joint responsibilities divided between OE and the Kennedy Center? How can state and local education agencies compete for such a small amount of funding?

The arts education regulation published in the Federal Register April 26, 1976, defined special characteristics of integrated arts education programs, and the six elements became the central focus of the program. The elements are specific and comprehensive. Each arts education program for which an application for a grant is made must be designed to:

(1) Encourage the development, in students, of an aesthetic awareness in the arts;

(2) Foster self-actualization and the development of communicative skills through movement, sound, visual images, and verbal usage;

(3) Involve each student in each school covered by the application in enjoyment, understanding, creation, and evaluation of, and participation in, the arts;

(4) Address the spectrum of art forms, including at least dance, music, drama, and the visual arts;

(5) Integrate these art forms into the regular educational program as distinguished from treating them on an extracurricular or peripheral basis; and

(6) Infuse the arts into the curriculum to enhance and improve the quality and quantity of aesthetic education offered and to expand the use of the arts for cognitive and affective learning experience.

The regulation suggested a number of specific projects which might help meet the six elements.

At the time the regulation was published, we believed that the specific and comprehensive requirements would limit the number of applications from local education agencies. However, as indicated in application summary at Appendix 2, the response from LEAs was extremely strong.

In June 1976, 89 grants were made for 45 state-level projects and 44 local-level projects in 31 States. Last month (June 1977) 77 grants were made for 30 statewide projects and 47 local projects. Lists of grant recipients for both 1976 and 1977 are included with this overview.

So far most State and local projects concentrate on training those who bring the arts to children—classroom teachers, artist-teachers, professional artists, arts specialists, and administrators. Most use

artists in some capacity—to demonstrate a particular art form, to help plan, to advise.

Many State education agencies are involved in statewide arts education planning or offer asistance to LEAs; grants to SEAs funded workshops, newsletters, minigrant programs, or just a few yearly meetings to bring together arts and education representatives at the State level. A few LEA projects were well along with district-level integrated arts education plans, and the small grant added to their already considerable investment. Some had well established visual art and music programs, but needed to introduce dance and drama, to teach them as part of language arts or reading. Some concentrated on developing arts curricula.

The arts education grants program has been in operation only one year, and evaluations of individual projects have not been made. The Arts and Humanities Staff (four people) measures accomplishments over the past 18 months in terms of:

—5,000 application packets assembled and mailed;
—600 applications received and reviewed;
—166 grant awards made;
—89 first-year projects monitored;
—25-30 inquiries per day answered.

To arts educators an initial accomplishment of the program is the guidelines which the program provides to encourage State and local education agencies to develop plans for comprehensive arts education programs. As one leading arts educator and foundation official commented:

"The amount of money is not large, but the fact that there are funds to initiate plans has had an electrifying effect on the school systems and State departments nationally. In fact, I think that the combination of a model or a demonstration that works, along with money to make some grants, has created much more quickly than any of us would expect something which really is a national movement for the arts in education in the schools."

This program is the only Federal arts education program; it is the only source of funds outside the States for most applicants. As a consequence we face the problems of whether to concentrate funds on a few strong projects or dispense a few thousand dollars to as many applicants as possible; how to divide funds between State and local applicants in view of the overwhelming response from local education agencies; how much should be devoted to strengthening and maintaining State AAE committees and to building strong communications networks between the arts and education communities; how to provide essential in-service education for teachers, administrators and artists; and how to expand research and development in arts education and relate these to practice.

[The appendices to the statement of Dr. Arberg follow:]

Appendix 1

FUNDING HISTORY OF THE ARTS EDUCATION PROGRAM

Fiscal Year	Authorization	Budget Request	Appropriation	Expenditure
FY 73				$ 7,000
FY 74			$ 500,000	610,000
FY 75		$ 500,000	500,000	560,000
FY 76	Not less than $750,000	$ 750,000	750,000	750,000
FY 77	Not less than $750,000	$ 750,000	1,750,000	1,750,000
FY 78	Not less than $750,000	1,750,000	2,000,000(est)	2,000,000(est.)

Note: The Special Projects Act did not go into effect until 1976. Prior to FY 76, the program was funded with OE salary and expense funds.

Appendix 2

SUMMARY OF APPLICATIONS RECEIVED IN 1976 and 1977
USOE-AAE EDUCATION PROGRAM

	Number of applications received		Total funds requested		States represented	
	1976	1977	1976	1977	1976	1977
Local Educ. Agencies	215	315	$2.6 mill.	$3.2 mill.	45	46
State Educ. Agencies	46	51	$ .7 mill.	$ .6 mill	45*	48**
Total, State & Local Educ. Agencies	261	366	$3.3 mill.	$3.8 mill.	46	50

*Includes 3 Trust Territories and 1 Bureau of Indian Affairs agency.
**Includes 4 Trust Territories.

Chairman PERKINS. Let me address a question to all of you. Of course, one of the big issies we will face next year in writing this bill will be whether or not to consolidate some education programs. With all the discussion we hear about burdensome paperwork and separate plans for so many separate programs, there will most likely be pressure from some people to consolidate the gifted and talented, the metric, and the arts and humanities programs. Personally, I have always felt categorial programs are important, but that is one of the problems we are going to face next year, how to better apportion some of these programs in the Office of Education.

Some people want to consolidate or repeal a number of the smaller programs such as the three you administer.

Could you help us by telling us what standards we ought to use in determining whether to continue each of these programs? Another way to ask the question is whether only spending about $2 million apiece on each of your three programs can bring about enough change to satisfy their continued existence.

I know how you feel about your own programs. I would like you people to address yourself to that one question. Go ahead. We will start with you first, Dr. Sisk.

Dr. SISK. I think I would like to point out that even though the appropriation is small, $2.56 million, when the program first started, or when they actually established the Office of Gifted and Talented in 1972, only a very small percentage of children had been identified and served, only 4 percent. Moreover, even in the Office of Education up to that point any time that you wanted to seek out any kind of leadership oftentimes there was not a person that was in charge of the program. So even the establishment of the office was a step in the right direction as far as advocacy goes.

I think it is important to look at the numbers of children that have been identified and the numbers that have been served in terms of going from four percent to 14 percent in one year. I think also one of the strengths has been the fact that we have had the model projects and the small stimulation money to both grants and education agencies. We have a model which can be followed and the money by which programs for the gifted and talented can be stimulated.

An example of this is in Maine. We gave them I believe $25,000 in a grant. Up to that point there was nothing in gifted education. There were no gifted children being served in that State.

As a result of that particular grant they now have a State consultant working with them as part of one of our Federal projects,and they are beginning to give out local projects. Indeed, it is a small amount of money, but I believe without it, since we are such a low priority at both State and local level, we would again fall into the pendulum-swinging we have been doing in gifted education where there would be no programs.

Throughout the Federal Government there is about $10 miiiion including ours that is being spent toward gifted education. When you think of it as our greatest resource, our gifted and talented childen, I do not really see how we could stop this effort.

Chairman PERKINS. Dr. Arberg, do you want to respond?

Dr. ARBERG. I would like to respond in two ways, if I may. Number one, to point out that while only $750,000 was allocated for State and local arts education programs, in reviewing the applications we note that half of the States responded with regard to the amount of local and State resources generated by these Federal funds and we find that is more than double the amount of the Federal share. If we extend that to the other States which did not respond as yet, we have a four-fold multiplier effect of that initial Federal expenditure.

The other observation I would make is that we have had in the past 10 years a rather dramatic increase in the Federal support of the arts and the humanities institutions through the Arts Endowment and through the Humanities Endowment programs. There has been no corresponding emphasis placed on the arts in education. As has been pointed out by the President in his statement of last October, "Most important of all, we need to place greater emphasis on educating young Americans to be sensitive to the arts and the humanities so there will be a hard, long-term base of support and appreciation."

So it is absolutely vital that the Federal Government through its instrumentalities—in our case the Office of Education—recognize and support the role of the arts in education. The States and the local agencies then will be encouraged to use their resources more effectively in the area of arts education, but without that leadership, without the visible role of the Federal Government that grassroots movement will not have a chance to flower.

Chairman PERKINS. Dr. Davis.

Dr. DAVIS. Respecting the fact that the enabling legislation was the product of studies that have been made that focused on problems that were unmet, there is a climate around the country as far as some of the programs are concerned that there is no Federal commitment. Unfortunately, there are agencies that move in cadence with the Federal Government's commitment to programs. Metric education, for example, is one where many local education agencies and State education agencies are waiting to see what the Federal Government is going to do before they commit limited resources to that area. The same thing can be stated for talented, gifted and arts and education. These are specific thrusts, and I think to consolidate them at this point would take them out of focus and would make the general public feel there was a retreat from Federal commitment to solve these kinds of problems.

The pace at which we begin to implement responses, visible responses to these problems, I think will increase not only the credibility of the programs but will increase a sense among the citizens of this country that the Federal Government is determined to resolve the problems that these programs are supposed to be addressing.

I will admit there is a slight dissipation of funds to the extent there are so many separate focuses of the different programs, but in the infancy of these programs there will come a time when we could consolidate the programs, but these are the infant stages and I think it is in the interest of the programs that they retain separate visibility and separate appropritions.

Chairman PERKINS. Thank you very much.

Mr. Kildee.

Mr. KILDEE. Thank you, Mr. Chairman.

Just briefly, Michigan has been somewhat a pioneer in the area of the gifted and talented and the arts. I served on the Appropriations Committee during those days when we had to convince the Philistines on the Appropriations Committee that these programs were good. One of the reasons that we were able to convince them that these programs should be funded with State dollars was there were some Federal dollars available. I think this did act as a carrot effect for the States. I think that is a good point for maintaining these programs.

I would like to ask a specific question. What has been the progress or success of the arts for the handicapped program? I have been very concerned about this.

Dr. ARBERG. The director of that program is here. May I ask if she would respond to that.

STATEMENT OF WENDY PERKS, DIRECTOR, NATIONAL COMMITTEE ARTS FOR THE HANDICAPPED

Ms. PERKS. You would like to know the status?

Mr. KILDEE. Yes, the progress or success.

Ms. PERKS. With the appropriations last year we were able to establish 27 model festival programs in 27 different States as well as nine model demonstration projects. We began also five special kinds of projects that are working specifically on research, curriculum development and teacher training. We estimate we have reached about 100,000 children this year, and hope with the increase in appropriations, we can double that for next year.

Again, like the arts education program, we have discovered there has been incredible local and State funding support; when we have given grants of $3,000 they have been matched with ten or 20 or 30 thousand dollars.

Dr. ARBERG. I would add that in the Arts Education Program (these are the guidelines, the first published on blue stock) there is a special provision for the handicapped. A local agency is given bonus points if it does make special provision for the handicapped, so this supplements the work which the committee is stressing.

Mr. KILDEE. I have witnessed some of these programs for the handicapped and I was quite impressed with what the programs were doing for the recipient, for the student. Especially by the achievement attitude that it created because of these programs.

Thank you very much.

Chairman PERKINS. Mr. Weiss.

Mr. WEISS. I have no questions.

Chairman PERKINS. Mr. Chris Cross for questions.

Mr. CROSS. Thank you, Mr. Chairman.

Dr. Davis, in light of the fact there is already a Federal requirement to go to metric education, why is there a need for a Federal program of education? The schools would obviously be giving it in any event?

Dr. DAVIS. That is an accepted truth. Unfortunately it is the pace with which it is done. The findings by the former Secretary of

Commerce's Metric Study group was that there was no uniform plan. If there is going to be a timetable of events where this country converts to the metric system of measurement, there has to be a current readiness to begin operating with that system of measurement. Certain States have gone far beyond others. The State of Ohio, long before the Metric Education Act was passed, had made significant progress. California and North Carolina are great metric education leadership States. Michigan has done many things. You were speaking a few moments ago about your State and that was one of the first states to develop metric education training materials for the blind.

These States are for the most part doing this on a voluntary self-initiating basis. If all of a sudden a Federal agency declares that by a certain date, all or some measurement activities under its aegis are to comply with the SI Metric System, as for example the Treasury Department, mandate on the bottling of wine and spirits, and, until it retreated on kilometers on the highway, the Transportation Department, these laws will go into effect immediately, whether the States are ready or not. The timetable would be respected. Some States would be caught in crisis because they would not have made certain preparations for this change. Other states which have been more forthright and farsighted would be ready to meet that challenge with great facility.

So education, as I see it, is the tool for preparing the citizenry for change. Metric education is one of the critical areas right now because, as was stated earlier, it is a change in the system of measurement and it will affect everyone. All persons do not have the same opportunities for education. Therefore, all persons will not benefit equally from training programs in formal training institutions. Opportunities must be provided for meeting the metric educational needs of this segment of the population. The Federal presence is needed at this time, if no more than to set the pace and to demonstrate Federal commitment. Examples were given earlier where small amounts of money were given to agencies. These funds generated great initiatives on the part of such agencies. I think that is where the impetus is.

Mr. CROSS. I think it is well known in a speech last month in New York the Commissioner said that he had rated metric education last among the programs in the Office of Education. Can you provide some insight to us as to why he made that rating?

Dr. DAVIS. The statement was first published seemingly out of context. The Commissioner, since that time, has given an expansive statement to explain his commitment to the metric conversion and education effort. He, too, fully appreciates the inevitability of our Nation's conversion to the metric system of measurement. Commissioner Boyer knows the Federal role that the U.S. Office of Education must play in that regard. It just happened to be in an audience where one of the Commissioner's statements elicited a certain response and the Commissioner capitalized on the humor of the movement. Unfortunately the full text of his statement was not published.

Mr. CROSS. I was in the audience and heard the statement, but he rated it 120 out of OE programs; is that not correct?

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Dr. DAVIS. You will recall that the Commissioner originally stated that metric education was a candidate for the 120th spot but no commitment had been made that metric definitely was ranked 120th.

Mr. CROSS. I would like to ask Dr. Arberg why it would not be more appropriate for your program to be administered by the National Endowment for the Arts.

Dr. ARBERG. The National Endowment for the Arts is basically charged with supporting the arts institutions, individual artists, the arts organization, the museum, the theater company, the dance company, the symphony orchestra, et cetera.

The arts education program belongs properly within the Office of Education because the arts should be an integral part of education. This is the aim of the program as the Congress has defined it—to make the arts an integral part of elementary and secondary education.

The Arts Endowment deals with State arts agencies primarily whereas our constituents are the State departments of education, the local school systems. These are the agencies through which educational change is brought about.

Mr. CROSS. It also makes grants to educational institutions; is that not correct?

Dr. ARBERG. Yes, but not through the state education agency. The Endowment's education monies go to the State arts agency and thence to the participating artists. We have worked closely with both of the Endowments since their inception. In fact, the Artists in Schools Program was initially launched with research and development funds made available by the Office of Education.

Mr. CROSS. With respect to the money to the Kennedy Center, who is making the grant decisions—you or the Kennedy Center?

Dr. ARBERG. The Commissioner under the statute has the responsibility for making the grant decisions. The Center through its board has established the National Alliance for Arts Education Committee. This in effect becomes the National Advisory Committee to the Commissioner, and it makes its funding recommendations. Just as the National Council on the Arts advises the Arts Endowment, the National Council on Humanities advises the Humanities Endowment, and the National Alliance for Arts education advises the Commissioner in terms of grant-making in the arts education program.

Mr. CROSS. Their recommendations are generally followed?

Dr. ARBERG. I would say so. That is true of any well-constituted advisory group.

Mr. CROSS. Dr. Sisk, with respect to gifted and talented needs, how are those needs any different from those of a nongifted or talented child, and how do you arrive at a number of children who need those services, given the fact there is really no universal measure?

Dr. SISK. In response to the first part of your question, in terms of the needs of gifted youngsters, I really am glad you asked that question. We have some data reported to us just recently by one of the States. They cross-referenced the children that were being referred to the emotionally disturbed program and they found that 50 percent of the children who were being referred to the emotionally disturbed program were indeed their gifted youngsters.

In other words, these were children that fell two standard deviations above the mean on an intellectual measure. This distresses us. The very characteristics of gifted children are being perceived as deviant—the curious, in some cases the hyperactive, the divergent thinking, the kinds of things that do not fall into the regular pattern.

Another piece of information that we have found rather distressing as well is that many of the children who are leaning disabled are also gifted. This has opened another whole avenue for us. Their needs are such that they need to enter into the structure of the teaching situation at a different level.

In terms of the second part of your question, as far as percentage figures, we come up with the figure of 2.56 million, using a three to five percent weighting on that. Two percent of the population in the curve could be considered intellectually gifted. If you use a broader definition, which our office is using with the creativity and psychomotor, you could move it up to the 3 to 5 percent. Interestingly enough, one of our States, the State of Georgia, is using a 10 percent prevalence figure for their gifted, so it does vary.

Mr. CROSS. How many States have programs for gifted children?

Dr. SISK. All of the States have a State consultant for the gifted.

Mr. CROSS. I am speaking of consultants paid for out of State funds.

Dr. SISK. I would say approximately 20.

Mr. CROSS. Has that grown since your program?

Dr. SISK. It has grown considerably since our program started.

Mr. CROSS. Is there any reason that would not continue to be the case if the Federal program was merged out of existence?

Dr. SISK. I think if the Federal programs are merged out of existence they would go right back to where they were because in many cases if you look at the history of gifted education, more than any other group I think we have experienced some service, no service. That would be my fear on that, because in many cases—for instance in the State of Washington just recently they have given $1 million on a biannual basis. I believe a lot of that was due to increased interest by leadership training institutes we have held there.

Mr. CROSS. One last question, Dr. Arberg. What about other cultural centers such as Lincoln Center, the Wolf Trap Center, the Arena Stage, and that sort of thing; do they have any opportunity to participate under your program?

Dr. ARBERG. Under the statute only a State or local agency is able to apply. We encourage them to take full advantage of the cultural resources in their area, and indeed, they are doing that. These cultural resources such as Lincoln Center or Wolf Trap or other art centers are not eligible as direct applicants under the present statute. That might be something for consideration down the road.

Mr. CROSS. Would you recommend that as a change in the law?

Dr. ARBERG. I would. I think not only the cultural institutions but the institutions of higher education have an increasing stake. In service education is a case in point.

Mr. KILDEE. I would like to thank the witnesses for their excellent testimony.

The committee will stand in recess until 9:30 tomorrow morning. Thank you very much.

[Whereupon, at 10:00 a.m., the subcommittee adjourned, to reconvene at 9:30, Wednesday, July 20, 1977.]

[Material submitted for inclusion in the record follows:]

AMERICAN INSTITUTES FOR RESEARCH
IN THE BEHAVIORAL SCIENCES
P.O. Box 1113, 1791 Arastradero Rd., Palo Alto, Ca. 94302 ● 415/493-3550

August 1, 1977

The Honorable Carl Perkins
Chairman, Education and Labor Committee
House of Representatives
B-346C Rayburn House Office Building
Washington, D. C. 20515

Dear Mr. Perkins:

Because of your recognized concern for education, I am enclosing a copy of a recent article, published in the June 1977 issue of the METRIC BULLETIN, which outlines the many different activities that were conducted as a result of the Metric Education Program sponsored under Title IV, Section 403 of the Educational Amendments of 1974 (PL93-380). These activities were conducted in some 45 states and encompassed all levels of education from elementary school to the university. The stimulating effect of the 72 grants funded under this Program demonstrates that a relatively small Federal program can have a decided impact on the implementation of policies established by Congress.

I am also sending along a draft of a paper that outlines some of the major reasons why the U. S. is converting to the metric system and why it is necessary for educators to be prepared to assist in this effort. The Metric Education Program is playing a major role in preparing educators for teaching the metric system, but much remains to be done.

I hope that these papers may be of some help in the deliberations of the Subcommittee on Elementary, Secondary and Vocational Education. If there is any way I might be of service, please let me know.

Very sincerely,

Albert B. Chalupsky, Director
METRIC EDUCATION TECHNICAL
SUPPORT PROGRAM

ABC:cd

SPECIAL FEATURE

An Overview of the USOE 1976-77 Metric Education Program*

By far the greatest single event in metric education this past year was the awarding of the USOE Metric Education Grants across the country. The Metric Education Program of the U.S. Office of Education received a little over $2 million for grants in fiscal year 1976. This money was available as a result of the Education Amendments of 1974 (Public Law 93-380, Section 403).

During the past year, there was a great deal of misinformation and confusion on the part of the media (and consequently the general public) as to just how much money would be available for metric education grants. You no doubt read the figure $10 million many times. This was the sum which was authorized to be spent "for each of the fiscal years ending prior to July 1, 1978". However, government programs run on appropriations, not on authorizations, and what is authorized by legislation is often very different from what is actually appropriated. This was certainly the case with metric education in 1976. The money received was well under the $10 million that was authorized in the legislation. However, the $10 million was mentioned repeatedly by writers who should have known better.

The real challenge presented to the Metric Education Program, under the direction of Dr. Floyd A. Davis, was how to allocate these monies in such a way as to provide maximum support for the basic objective of Public Law 93-380.

> "To encourage educational agencies and institutions to prepare students to use the metric system of measurement with ease and facility as a part of their regular education program."

Some 585 grant applications were submitted in time to meet the deadline. Each application was subjected to scrutiny by a panel of outside reviewers, and this review process resulted in the awarding

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*The activity which is the subject of this report was supported in whole or in part by the U.S. Office of Education, Department of Health, Education and Welfare. However, the opinions expressed herein do not necessarily reflect the position or policy of the U.S. Office of Education, and no official endorsement by the U.S. Office of Education should be inferred.

SPECIAL. Continued

of 72 grants. Let's take a general look at the collection of projects that resulted.

Where are these 72 projects located? The Metric Education Program virtually blankets the entire country. When you take into account the several multistate projects, a total of 46 states and two territories are represented in the Metric Education Program. States heavily involved in metrication include: New York with seven projects (six of which are located in New York City); California with five projects; Virginia with four; and Hawaii, Mississippi, North Carolina, Oklahoma and West Virginia each having three projects.

What is the typical size of the Metric Education Grants? These 72 grants all together total a little over $2 million, as indicated previously. With this many grants, obviously, the typical grant award was rather small. The great majority of the projects are funded at $24,000 or under; several ranged between $5,000 and $7,000.

What kinds of agencies received grants?

*Twenty-two grants went to state education agencies for a total of about $657,000.
*Eight went to nonprofit public and private institutions for a total of about $410,000.
*Fourteen went to local education agencies for a total of some $290,000, and
*Twenty-eight went to institutions of higher education for a total of about $644,000.

What types of projects are represented by these grants? Basically, four kinds of projects were funded:

1. School-based, interdisciplinary projects operated by local education agencies,
2. State and multistate cooperative planning projects directed by state education agencies,
3. Teacher preservice and inservice training projects conducted primarily by universities and colleges, and
4. A national metric education technical support project coordinated by the American Institutes for Research.

The metric education projects are directed not only at educating children in grades K-12, but also at educating adults in the community. Two of the most frequently mentioned activities in the projects are training teachers to use the metric system and curriculum development.

SPECIAL, Continued

The projects truly range across the entire school curriculum. For example, a number of projects are giving special attention to vocational education, as one might expect. Training modules are being developed for a wide variety of occupations such as real estate brokers, insurance brokers, mechanical drafting, diesel mechanics, business education, commercial baking, fashion arts, carpentry, and plumbing.

These projects are being operated not only by state departments of education, by universities, by community colleges, and by local education agencies, but also by a labor union. The AFL-CIO Appalachian Council Project, which serves the twelve southeastern Appalachian states, has provided metric awareness and skill training to instructors in the apprenticeship and journeyman training programs and to union members and officers attending labor schools. Another interesting model, combining home economics and mathematics, is being developed at the University of Washington at Seattle. The program benefits ninth grade math and home economics classes, in addition to adult homemaker groups. Here the home economics lab provides the space and the equipment for the practical "hands on" training that is so important in metric education.

Metric education activity is also underway in the field of special education and bilingual education as a result of the Metric Education Program. It is particularly gratifying to see the number of projects that are involving children with handicaps such as the visually impaired, the deaf, the learning disabled, and the mentally retarded.

What are the characteristics of some of the major projects? Some of the larger grants in the Metric Education Program involved multistate projects. The "Idaho-Montana-Utah-Wyoming Metric Consortium" is designed to train a corps of portal leaders in the four-state area who will function as metric education leaders in their local communities. The portal leaders each train teachers in metrics as well as conduct metric information talks, workshops, and general information sessions. The Montana Council of Teachers of Mathematics is coordinating this project.

Ten states are involved in "Consortium West": California, Alaska, Arizona, Idaho, Nevada, New Mexico, Oregon, Utah, Washington, and Hawaii. In each participating state, the project is providing for the training of approximately fifty teacher trainers who will be responsible for training other

SPECIAL, Continued

school district leaders in their states. The project also plans to recommend teacher certification requirements in the area of metrics and promote community involvement in the changeover by identifying and assembling representatives of community organizations. Finally, the consortium will develop state-level plans for continuing metric education efforts during the three years following project funding. Directing this project is the California State Department of Education.

The nine states comprising the "Northeastern States Metric Education Consortium" are involved in developing a multistate master plan for implementing metric education in their school districts. Besides the Connecticut State Department of Education, which is directing the effort, the project encompasses the states of Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. To coordinate project efforts, each state is represented by a member of its state department of education on an interstate planning council. Curricular guidelines and materials are being developed for students, teachers, and adults, with attention to bilingual education and community involvement. Another objective of this project is to develop a plan for the cooperation of school systems, government agencies, businesses, and industry to better utilize their respective resources.

The Metric Education Technical Support Program is designed to provide technical assistance to all of the other metric education projects. Specifically, the program provides the following services:

* on-site consultants
* telephone advisory assistance
* a network for project information sharing; and
* assistance in project development, implementation, and evaluation.

The American Institutes for Research (AIR) is the prime recipient of this grant; however, assisting AIR is a nationwide network of consultants, many of whom are members of the U.S. Metric Association. Staff members of the Stanford University School of Education are also helping AIR on the project.

There were no doubt many other metric activities at the state and local levels in education during this past school year; but none has done more to stimulate nationwide attention on metric education than this one federally-funded Metric Education

SPECIAL, Continued

Program. Considering the rather small amount of funding, as federal programs go, the variety of metric education activities underway in so many states as a result of this program is truly notable.--

Albert B. Chalupsky, Director, Metric Education Technical Support Program, American Institutes for Research, P. O. Box 1113, 1791 Arastradero Road, Palo Alto, California 94302. Phone: (415) 493-3550.

WHY SHOULD AMERICA GO METRIC?

Louis F. Sokol

Albert B. Chalupsky

A question frequently asked these days is "Why do we have to go metric"? It is a perfectly natural question which expresses the concern of the majority of our citizens whenever a major change is undertaken which will not only affect their everyday lives but may involve some expense. Most of these people have seen little everyday evidence that metrication is upon us, and they wonder whether such a trend should be stopped.

As a prelude to any discussion about the metric system of measurement, it should be emphasized that the United States is in fact going metric; and the main point of discussion is really how to expedite the change with the least cost and disruption to the economy. The decision to go metric has been given serious consideration for many years and has been endorsed by Congress on a number of occasions. A few of these occasions were:

1866 Law passed by the U.S. Congress and signed by President Andrew Jackson that made it lawful throughout the U.S. to employ the Metric System. In 1893 the Secretary of the Treasury issued an order to establish the international metre and kilogram as "fundamental" standards of length and mass with the yard and the pound defined as definite ratios of the metric standards.

1968 The U.S. Congress directed the Secretary of Commerce to undertake the U.S. Metric Study to evaluate the impact on America of the metric trend and to consider alternatives for national policy; the report of this study, published in 1971, considered that it would be best for the nation to change to metric under a coordinated program.

1974 Public Law 93-380, the Education Amendments of 1974, established U.S. policy to encourage educational activities which help individuals to use the modernized metric system with ease and facility. The law authorized establishment of U.S. Metric Education Program administered by the U.S. Office of Education.

1975 President Ford signed into law the Metric Conversion Act of 1975, Public Law 94-168, committing the Federal Government to a national policy of increasing use of the modernized metric system in the U.S. and provided for the establishment of a United States Metric Board.

There are several good reasons why metrication is upon us and why it is beneficial to the nation. The principal reason the United States is implementing the International System of Units (SI) as its primary measurement

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language is economic. Most of our large companies, the so-called multinationals, have in recent years come face to face with the problems of the use of dual measurement systems (U.S. customary and metric) and dual engineering standards, that is, those based on inch-pound modules as well as those based on metric modules. The reason for this is that the majority of our large companies operate on a global basis and, for all practical purposes, every other nation is either metric or is in the process of completing its metric changeover program. These large companies have determined that it is more economical and expedient for them to work with only one measurement system and one set of engineering or product standards. In fact, the ultimate goal of industry is to have only one set of worldwide engineering standards or common parts with which to design and assemble their manufactured products in any country in the world.

The general approach for most companies as they undertake metrication, is to make all new designs using metric units. This is a common sense approach which follows the "rule of reason," and it keeps costs down. Generally, the metric design costs are no higher than any other new design costs incurred when using customary units.

At this point the skeptic may say, "So what, there are now only a few hundred 'multinationals.' Let them do what they want, this won't affect me, and I couldn't care less what they do." The fact is, however, that what the multinationals do has a decided bearing on the economy and directly or indirectly on the well being of every United States citizen. Take for example the case of General Motors Corporation which announced its metrication program in 1973. GM has about 47,000 suppliers of parts and services from large to small who are located in hundreds of different towns and cities throughout the country. Today these suppliers, if they expect to sell to GM, must work from metric drawings. Their employees must have an understanding and working knowledge of certain SI metric units. Nothing brings this closer to home than the fact that full employment and good paychecks depend on a company's ability to remain profitable by being able to sell its products overseas as well as domestically.

Many graduates of our school systems are already being required to possess a working knowledge of SI metric units when they seek employment with large companies and the suppliers serving them. This trend will rapidly accelerate, so it is incumbent on our schools to present SI metric units in all the curricula. Interestingly enough, the overwhelming majority of workers who now use metric units on their jobs have experienced no difficulties and in fact prefer to work with them rather than the familiar U.S. customary units once they have become accustomed to them. This relates to the second important reason why we are going metric. Measurement activities and computations made with SI metric units are simpler and easier. After the temporary learning and adjustment period is passed, the benefits of this simplicity will carry on forever definitely easing the task of teaching measurement concepts and practices to children. For example, rather than using 12 different measurement terms to express linear measurement, SI involves only one term plus three prefixes for the majority of applications.

A third factor can be added to the benefits of metrication. This is the universality factor. After the United States has completed its metrication program, practically the entire world will be using a common measurement language, the SI. This will result in improved communications between nations as well as between different sectors of society within the United States. In addition, the many US citizens traveling abroad will no longer be intimidated by strange measurement units in their shopping and driving and in their deciphering of weather reports.

As stated earlier, the nation is in fact going metric. It would be uneconomical to continue to operate a society with two measurement systems. For this reason SI metric units must be introduced in all walks of life with the goal of phasing out the use of U.S. customary units as soon as it is practicable to do so. Experience in other major nations that are implementing the SI has shown that workers are more efficient in the use of metric measurement units on their job if they also use them in their non-working activities such as in sports and hobbies. Most persons will need to learn little more than metre, litre, gram, and degree Celsius plus the numerical value of a few common decimal prefixes.

After the changeover is an accomplished fact and people have become accustomed to thinking in SI metric units, many will say, "Why didn't we do this sooner?"

1902 Association Drive. **Music Educators National Conference** Reston, Virginia 22091

Office of the President
Address Reply to:
Robert H. Klotman
School of Music
Indiana University
Bloomington, Indiana 47401

August 2, 1977

Hon. Carl D. Perkins
Chairman, Education and Labor
Committee
2181 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Perkins:

On behalf of the 64,000 members of the Music Educators National Conference, I appreciate the opportunity to present the enclosed written statement as a part of the Record of the July 19 hearing by the Elementary, Secondary and Voluntary Education Subcommittee into the re-authorization of the Special Projects Act of 1974 (Title IV, P.L. 93-380). In the event that the Subcommittee does schedule open hearings into the re-authorization of Elementary and Secondary Education Act Title I programs following the summer recess, the Conference requests an opportunity to testify. I anticipate that the Conference will have a position to offer in testimony following the meeting of its National Executive Board next week.

Very sincerely,

Robert H. Klotman

Robert H. Klotman
President

RHK/mkl
Enclosure

August 1, 1977

POSITION OF THE MUSIC EDUCATORS NATIONAL CONFERENCE

Re-Authorization of Elementary and Secondary Education in the Arts Program
of the Special Projects Act, Title IV, P.L. 93-380

The Music Educators National Conference is committed to the endorsement of current efforts organizations of teachers of the arts to seek Congressional support for major new federal legislation to provide for a comprehensive program of categorical support for the arts in education. The interest of these organizations is directed toward the establishment of a program essentially similar to that described in Title IV of Senate Bill 3440 (94th Congress). The Assembly of National Arts Education Organizations has adopted a concepts outline describing the major features of that program. That action was taken at the first meeting of the organization held in Arlington, Virginia on July 28-29, 1977. A copy of the material will be available shortly.

The Music Educators National Conference is committed to the re-authorization of the Elementary and Secondary Education in the Arts Program as currently authorized by Section 409, Title IV, P.L. 93-380 (Special Projects Act of 1974). It is the position of the Conference and the other national arts education organizations represented at the first meeting of the Assembly that the program currently authorized by Section 409 should be continued until such time that there is a more effective program of federal support for arts education. In the event that the Congress should provide for the more comprehensive program of categorical support which is being sought, the Conference and other Assembly member organizations would support a Congressional initiative to absorb and eliminate the separate authority currently contained in Section 409 and any subsequent re-authorization.

The Music Educators National Conference presented testimony to several Congressional Appropriations Subcommittees respecting its position on Elementary and Secondary Education in the Arts Program. That testimony is appended to support the current position of the Conference in seeking re-authorization. At its meeting in August 8, 1977 at Interlochen, Michigan, the National Executive Board of the Music Educators National Conference will consider the adoption of the attached proposed position on desired changes in the current language of Section 409. It is anticipated that this will be the position of record of the Conference to Senator Pell's Subcommittee at the time that that Subcommittee may be free to accept a statement of position.

FRED RICHMOND
10th District, New York

COMMITTEES:
AGRICULTURE

SMALL BUSINESS

CHAIRMAN
SUBCOMMITTEE ON
DOMESTIC MARKETING,
CONSUMER RELATIONS,
AND NUTRITION

Congress of the United States
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September 13, 1977

Honorable Carl D. Perkins
Chairman
Subcommittee on Elementary,
Secondary and Vocational Education
2365 Rayburn Building
Washington, DC 20515

Dear Mr. Chairman:

Your subcommittee will be considering the re-authorization of P.L. 93-380, Section 409, Title IV, the Special Projects Act.

This act is the only specific categorical aid program of the federal govenment in support of education in the arts.

As one who has become deeply involved with the arts and education communities throughout the United States, I have come to realize the necessity of Arts education. Mistakenly, this area is sometimes considered secondary in importance to "the basics" in educational subjects.

Many education administrators have found that using the arts as core subjects increased the learning capacities of their students in all areas. I have seen science and math courses taught with dance, English taught with drama and history with the visual arts. These were the most successful "basic" courses taught.

The arts are also important to teach in their own right. A basic knowledge of all the arts helps round out an individual, prepares him/her for various avenues of expression, increases appreciation of the environment and is self-rewarding and enriching. When taught by professional arts educators these are oftentimes some of the most meaningful courses in a student's educational experience.

I hope that you will support increased authorization levels and aid me in informing our colleagues of the necessity for substantially increased appropriations.

If we do not meet the current demand and need for arts education, I am afraid that our other efforts to stimulate students, develop interests and increase retention will be greatly hindered.

All good wishes.

Yours sincerely,

Fred Richmond

FR:pat:bn

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CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND LABOR
SUBCOMMITTEE ON SELECT EDUCATION
2176 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515

August 23, 1977

The Honorable Carl D. Perkins
Chairman
Subcommittee on Elementary, Secondary
and Vocational Education
Room B-346C, Rayburn House Office
Building

Dear Carl:

Congressman James C. Cleveland has sent me the attached letter from his constituent, Mr. John M. Gray, regarding the Arts Education Program funded under Section 409 of P.L. 93-380.

Because this legislation is under the jurisdiction of your Subcommittee and knowing that you recently held hearings on this program, I thought that you would be interested in having Mr. Gray's views on the matter and providing Congressman Cleveland with whatever comments you feel are appropriate.

With warm regards,

Sincerely,

JOHN BRADEMAS
Chairman
Subcommittee on Select
Education

JB/tbm

Attachment

ATL BRUNELLE
COMMISSIONER
NEALD ANDREW, JR
DEPUTY COMMISSIONER

STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION

DIVISION OF INSTRUCTION
64 N. MAIN STREET
CONCORD 03301

June 30, 1977

Dr. Harold Arberg
Arts and Humanities Office
U. S. Office Of Education
400 Maryland Avenue
Washington, D. C. 20202

Dear Dr. Arberg,

I would like to comment on the FY 77 Arts Education Program, PL 93-380 Section 409.

As you know, I submitted New Hampshire's applications to the program for FY 76 and FY 77. As the record shows, the FY 76 proposal was funded and my office has been utilizing the granted funds over the most recent school year. They have supported a variety of activities which are described in the mid-year and final activity reports. These activities all worked "to encourage and to assist in establishing, conducting and improving arts programs as an integral part of the regular curriculum of elementary and secondary schools..." statewide in New Hampshire. A great deal of progress was made possible with the support of the granted funds, and the year was successful because of the progress made.

I again submitted an application to the FY 77 program; and in all honesty, I fully expected to receive continued support for our activities. The expectation was folly - as it has recently been shown. The program, as I am now told, did not intend to continue to support established and viable programs previously funded. I must ask - why?

I am particularly curious in our case, as a state education agency, given the following quote (3.160g.5 - Funding) from your 'blue' sheet on the program.

> "A commenter suggested that 160g.5 be changed so that one-third of the funds available for the Federal program be reserved for State educational agencies (under Subpart C of the regulation) and two-thirds be reserved for local educational agencies (under Subpart B of the regulation).
>
> Section 160g.5(a) states an initial reservation of one-third of the available funds for local educational agency grants under Subpart B and two-thirds for State Educational agency grants under Subpart C.

"Live Free or Die"

This arrangement reflects the need for comprehensive Statewide planning in connection with the State projects; the anticipated greater multiplier effect of Statewide activities (given the limited amount of funds available); and past experience with State needs under the Alliance for Arts Education program. The initial reservation technique is designed to ensure that both local educational agency and State educational agency projects are funded."

If the program is indeed supportive of this view, I must question why the revised funding formula was instituted. In the same regard, I would question why applicants were not informed of this switch. The additional competition between states created by the switch undoubtedly put requests from rural states - such as ours - at a disadvantage.

While on the subject of competition, I would also question why one state (Massachusetts) and one district (District of Columbia) were permitted to submit multiple grant proposals for consideration. "Section 160.22 Limitation on number of applications" states clearly that "A State educational agency may submit only one application in a fiscal year for assistance under this subpart". I realize that only one proposal from each was funded, but still they did have the advantage of submitting alternative grant proposals.

Today, I sit frustrated, distrustful and discouraged. What is it that you would have us in the states do? Where are your priorities and commitments? Where do you now feel ours should be?

In closing, I would suggest that you would do well to evaluate the experience of this year's grant program. Does your office want to help state education agencies who can and do serve as the leaders of substantial arts education development? Or is your commitment to 'Model' arts education programs on the local level?

I know that I, and many of my counterparts in other states, will not soon forget the slight we feel we have been dealt. You have seemingly ignored and/or demeaned our efforts. You have not even extended the courtesy of giving us notice regarding the program decisions. I learned of the status of my proposal only as a result of my inquiry. Two local projects in our state were funded and I was not and have not been notified. I heard of the awards casually in a chance meeting with the locals. They assumed you would have contacted my office; so did I. Moreover, I still have no written and/or official proposal rejection on my application from your office.

I hope that you will do me the courtesy of responding to the points made in this letter. It is my feeling that I and my fellow non-funded state arts education directors, consultants and supervisors are entitled to a thorough explanation of this year's decisions and clarification of anticipated future actions.

PART 7: CONSUMERS' EDUCATION, COMMUNITY SCHOOLS, THE COMMISSIONER'S DISCRETIONARY FUNDS UNDER THE SPECIAL PROJECTS ACT

WEDNESDAY, JULY 20, 1977

SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to notice, at 8:30 a.m., in Room 2175, Rayburn House Office Building, the Hon. Ronald M. Mottl presiding.

Members present: Representatives Mottl, Quie, and Pressler.

Staff present: John F. Jennings, majority counsel; Nancy L. Kober, staff assistant; and Christopher Cross, minority senior education consultant.

Mr. MOTTL. The subcommittee will now come to order.

The Subcommittee on Elementary, Secondary and Vocational Education is resuming hearings on H.R. 15, a bill to extend for 5 years certain elementary and secondary education programs which expire at the end of fiscal year 1978. The hearing today will focus on three sections of the Special Projects Act, enacted in the Education Amendments of 1974: The Community Education Program, the Consumers' Education Program, and the Commissioner's Discretionary Funds.

The purpose of the Community Education Program, authorized in Section 405 of the Special Projects Act, is to promote the more efficient use of school facilities by making them centers to meet the educational, cultural, recreational, and other needs of the community they serve. The Commissioner is authorized to make grants to State and local educational agencies to plan and operate community education programs and to institutions of higher education to train persons to plan and operate programs. $3,553,000 was appropriated for fiscal year 1977 for this program.

The Consumers' Education Program enables the Commissioner to make grants to State and local educational agencies, higher education institutions, and public and private nonprofit agencies to develop and conduct model programs to prepare citizens to become better consumers. The appropriation for this program was $3,135,000 for this fiscal year.

With regard to the Commissioner's Discretionary Funds, the Special Projects Act stipulates that at least half the funds appropriated for the entire Act must be devoted to the seven priority areas outlined in the Act. The Commissioner is given the authority to use the remaining funds for projects or causes he sees to be of major importance.

Today we will hear from the directors of the Community Education and Consumers' Education Programs in the Office of Education.

We will first hear from my good friend, Dr. John Ellis, Executive Deputy Commissioner for Educational Programs from the U.S. Office of Education. I want to especially welcome Dr. Ellis whom I have known as the Superintendent of the Lakewood schools of my 23rd district of Ohio who did a great job there and went on to higher things as Superintendent of Schools for the schools in Columbus, Ohio, and did a fantastic job there. I know that he is going to do a beautiful job with the Office of Education.

We certainly want to welcome you here today, John Ellis. We look forward to your comments as well as those of your two colleagues.

Dr. Ellis.

STATEMENTS OF DR. JOHN ELLIS, EXECUTIVE DEPUTY COMMISSIONER FOR EDUCATIONAL PROGRAMS, U.S. OFFICE OF EDUCATION; DR. PAUL TREMPER, DIRECTOR, COMMUNITY EDUCATION, U.S. OFFICE OF EDUCATION; DR. DUSTIN WILSON, DIRECTOR, OFFICE OF CONSUMERS' EDUCATION, U.S. OFFICE OF EDUCATION. THESE WITNESSES ARE ACCOMPANIED BY DR. HARRY L. PHILLIPS, DEPUTY ASSISTANT COMMISSIONER FOR LEGISLATION, U.S. OFFICE OF EDUCATION

Dr. ELLIS. Thank you very much, Mr. Chairman. I appreciate your kind remarks. It is great to renew our association and I, too, am looking forward to having many opportunities to work together toward improving education in this nation.

May I introduce the colleagues seated with me at the table. Dr. Paul Tremper, Director, Community Education, U.S. Office of Education; Dr. Dustin Wilson, Director, Office of Consumers' Education, U.S. Office of Education and Dr. Harry Phillips, Deputy Assistant Commissioner for Legislation, U.S. Office of Education.

I am happy to have this opportunity to appear before this committee to discuss the Special Projects Act and, in particular, those activities carried out under the Commissioner's discretionary authority within that Act.

The Special Projects Act was authorized in 1974 as part of the Education Amendments of 1974, P.L. 93-380, and went into effect in fiscal year 1976. It replaced the old Cooperative Research Act. That law authorized the Commissioner of Education to expend discretionary funds on critical needs or experimental missions to complement the wide variety of operational programs for which he was responsible.

In addition, a number of programs administered by the U.S. Office of Education prior to 1974 called for small amounts of money

to be set aside for use by the Commissioner for funding projects at his discretion. In fact, the term, "Commissioner's discretionary authority," originated with these set-asides.

While the set-asides were eliminated as a part of the consolidations in the elementary and secondary education programs, the spirit of these discretionary authorities reappeared in a limited sense under the Special Projects Act. The stated purpose of the new law was similar in thrust, authorizing the Commissioner "to carry out special projects——

1) to experiment with new education and administrative methods, techniques, and practices;

2) to meet special or unique educational needs or problems; and

3) to place special emphasis on national education priorities."

The Senate Committee on Labor and Public Welfare in its report accompanying S. 1539 (Report No. 93-763, p. 69) elaborated on the formal statement in the law as follows:

"The statement of purpose for the Special Projects Act is intentionally broad. It is intended to give the Commissioner latitude to fund those contracts and grants he feels of major importance, without the limitatons and requirements imposed by narrow categorical authorities. It has been the committee's experience that each Commissioner has certain areas of education of special importance to him. A number of difficulties face every new Commissioner, as he attempts to devote Federal resources to his areas of interest, be they "Right to Read" or "Educational Renewal."

First, almost all Office of Education funds are currently categorical in nature, ill-suited to adaptation to other ends.

Second, most such programs have multi-year commitments of funds, leaving little "new money" free to devote to new causes. As a result, a Commissioner unwilling to tolerate the delay inherent in proposing new legislation is tempted to "bend" existing program requirements and to combine different program authorities to secure the base of funding necessary to implement his ideas.

"The Special Projects Act is designed to avoid the necessity for such actions on the part of the Commissioner, which inevitably lead to Executive-Legislative confrontations. The new Act eliminates the categories that now limit the Commissioner's discretion. In their place it substitutes a broad authority with minimal strings attached."

We are now in the third year of this particular operation and I think it is fair to ask how is it going, are we meeting the intentions of what we started out to do. I think it is fair to say that we are not at the present time. I would like to cite some of the problems we have with the Act, in no sense to complain or be critical, but this is an oversight hearing and I understand the chairman wishes to have the Office of Education explain some of the difficulties under which we are working in attempting to meet the will of Congress.

First of all, in fashioning the Special Projects Act, the Congress identified seven priorities that were to be supported by at least one half of the appropriated funds. It further mandated a specific proportional distribution of the resulting set-aside among these seven.

The special purpose programs include career education, which had previously been carried out under the authority of the Cooperative Research Act, and Arts in Education under the General Education Provisions Act. Consumers' Education, which had been authorized earlier under Title VIII of the ESEA but never funded, was brought under the Special Projects umbrella. Four new activities complete the array of mandated activities. They are Metric Education, Community Schools, Women's Educational Equity, and Gifted and Talented. Both contracting and grant authority are authorized for these programs.

After meeting the funding requirements for the seven mandated programs, the Commissioner may then theoretically use the other half of the appropriated funds for educational activities which he determines are important. However, under this discretionary authority, only contracts may be awarded.

So we have the first of several problems. One, the contracts and grants may be used in the first set of categories, but only contracts with the latter, which reduces the flexibility the Commissioner needs to properly get the job done.

Since the enactment of the Special Projects Act, five programs have received support under the Commissioner's discretionary authority. For three of these, Career Education, and more recently Women's Educational Equity, and the Arts in Education program, we have received funding under both the mandated and discretionary portions of the Act.

The Women's Educational Equity program was created by the Act itself, whereas Career Education and the Arts in Education program were continuing efforts from prior authorities. Educational TV Programming had also been carried out under a previous authority, as was Packaging and Dissemination.

In no event have any new programs been inaugurated under the discretionary authority of the Commissioner since the Special Projects Act was implemented, although some new projects have been added, under ETV, for example. These are programs that were already on the books under one authority or another.

Since the inception of this Act no new programs have been initiated by the Commissioner of Education, even though the Commissioner's discretionary fund was intended to be a fund that would enable the Commissioner to meet the demands of change and to be responsive to new needs. In effect his hands have been tied and he has not been able to meet that particular requirement.

The basic reason for this is that the Act really created a very restricted discretionary source. There is the matching requirement that 50 percent of the money must be allocated to those named by Congress and within that there are some specific proportions that must be allocated. Let me enumerate some of the specific problems that have occurred in attempting to respond to the Act.

In 1976, the limited opportunity to launch new initiatives became immediately apparent. The agency had already committed itself to capacity building efforts in career education and ETV and to the testing of a new tool for disseminating quality programs to the field. To fund these activities under SPA meant funding mandated activities too. This consumed over $20 million in available resources.

In order to fund the projects in the other categories it was too great a burden to meet and that money could not be requested.

Second, the agency shared congressional intent in career education as a priority, but the formula distribution among mandated programs precluded funding it at a level consonant with the agency's desire to continue projects that were exploring and demonstrating ways that the concept could be promoted in the schools. Consequently, there began the practice of requesting funds under both the mandated and discretionary portions. Therefore, what we began to do is request monies for the same type of program in the so-called mandated area and in the other area, the so-called Commissioner's discretionary part of it.

We would have what you might think of as a supplemental appropriation so that together we could have the type of program we thought was sufficient. The problem with that, though, is that in the mandatory part you can have contracts and grants, but in the discretionary part you can only have contracts. So we had the same program operating in effect under two authorities.

Congress found this to be a bind, too, in 1977, when the National Diffusion Network came under scrutiny and the Administration had recommended a lower budget. Congress came up with the $7.5 million appropriation, but they bumped into the formula distribution system again and found if they were going to fund $7.5 million, it would really have to be $15 million if they spread it among the various categories.

So what they did was fund it under the so-called GEPA, the General Education Provision Act money. They came up with $7.5 million for the National Diffusion Network under a different authority.

That also creates some problems because that authority permits only the use of procurement contracts. It meant that it was more cumbersome and created hardships for many successful applicants because payments could not be made in advance. We had to worry with the school districts about reimbursing them after they completed the work.

The magnitude of meeting this vast network of people that were diffusing information with contracts was not really a very efficient system. Now we have continued in fiscal '78 to request that the network be funded under the GEPA provisions because to back away from that seems inappropriate.

But nevertheless we still have that problem of a separate authority within what should be the same type of appropriation.

Finally, I would like to point out in the problems we faced, last year the Congress deemed it fit to appropriate funds for Arts in Education, funding it in excess of $750,000, again, bumping into the problem that if they put it into a mandatory program which is the area so reserved, they would have to meet the formula and appropriate more money than they intended.

The same thing occurred with women's equity and with consumer education. What has happened is that these programs have been mandated by the Congress as part of the Commissioner's discretionary authority rather than the authority that was supposed to reserve 50 percent of the money.

So I cite this to summarize that the intention of the law was to provide a flexibility for the U.S. Commissioner of Education to meet urgent national needs, recognizing full well that however astute the Congress may be and however astute any Administration may be, you cannot predict what the needs will be 6 months or 12 months from now and that some flexibility has to exist. But the way it is now established, that flexibility just is not there.

Now I would like to speak on the positive side to some of the things that are happening under the legislation. I have cited the problems, that is the mandating of the formula and the inability to have discretion on the part of the Commissioner. I would like to address two of the programs and then my other colleagues will speak to the other two programs.

I would like to speak first to packaging and dissemination. This whole approach is designed to take new ideas, good ideas, and transmit them to the rest of the country. We are always seeking to maximize the research and what we have learned from the Federal dollar.

I am pleased to report parenthetically, Mr. Chairman, that the project that began when I was back in Lakewood is one of these projects that is being disseminated. It is now disseminated to 17 different States and 54 different school systems across the country. I was delighted to learn when I began to do current research that a project that began some eight years ago was still alive and well and had returned to the Federal Government marvelous return for the dollars invested.

Well, this is what we are attempting to do, to find those projects that work and to communicate them to other districts across the country.

One of the ways in which we do this is the so-called PIPs program, Project Information Package. I have one that would be an example. There are 16 such PIPs presently available. We package them so that a school district that wanted to be involved in one of these programs could do so and would have the resources available. We have a teacher's guide, a student guide, a film strip, an adult education guide. In effect just about everything you need to know and function with the project other than having the people to do it is contained in this package.

There are now 16 of them and some 31 States have sponsored 135 projects. That is the so-called PIP program.

We are still testing and trying to find new ways. One thing we have found is that the material alone is insufficient. You just can't do the job by mailing in and getting this material though it is good. You have to have some people to go out and help so they get identified with it and understand how to work it. So we have that going with the whole dissemination network.

We are also working on a dissemination support center. We have a RFP going out for that to develop better materials. There is a national brokerage system to identify talent throughout the country so that teachers and others in the field can be accessible and available to help.

I will not speak extensively to the National Diffusion Network, but that is part of the whole process. We have over 2,000 projects

that have taken root that are what we call firmly rooted. I think it speaks well of the fact that we are able now to identify the most promising Federal projects. We look at the research, how students learn to read, how they learn mathematics. We evaluate them and package the information and distribute it so school systems across the country can benefit from projects at any given place.

We have 170 projects approved by the National Dissemination Review Panel. Seventy of them are in packages that can be distributed. I think we have moved well in this area. We still have to refine and coordinate better and get a better communications system, but this looks good and I think it will be a good payoff for the use of Federal monies.

The next program I would mention, Mr. Chairman, is the educational television programming. We are all acquainted with Sesame Street and The Electric Company. These have been the big areas in which we have functioned.

Our long-range goal, however, is to move beyond just Sesame Street and Electric Company, recognizing them as an outstanding success, but we want to have the mission of helping to improve the quality and impact of nationally available television and radio programming for educational purposes.

We have several new projects that I believe you will become acquainted with as they hit the networks and as they receive more public visibility. They probably will not become as famous as Sesame Street and Electric Company because those are a daily television approach. But we have a new series coming on line on alcohol.

We know one of the big problems in teenage youth, junior high school as well as senior high school, is the consumption of alcohol. We hear about drug abuse, but the most abused drug is alcohol. We have a series coming on television about that. We will have it on film. There will be teachers' guides. It will be available throughout the country.

Another project in the making is a series on parenting. We know if you are going to have a good school system, that the influence of the home and what the parents do becomes extremely critical to how children are prepared for school and the support they receive. We know what happens very early in a child's life is extremely important.

So we have a series on parenting. How to become a good parent, diet, how to talk to your child, infant stimulation, which is a fancy word for just simply talking to your chid and playing games with your child and doing the things most middle-class parents do which many don't understand are extremely important to the child.

We also funded a project on the black presence in the American Revolution. That is a 30-minute film. We have a music program for grades 4 to 6, 10 half-hour programs.

In fiscal 1978 we anticipate an appropriation level of $5 million, or $2 million less than was received each previous year. This dollar level is sufficient to maintain support for programming on parenthood education and assistance for the continued production of Sesame Street. The Electric Company has its last year of production in 1977; it will be going into three years of reruns.

So the appropriation for The Electric Company can be reduced and we will be able to finish the parenting program, but there is a reduction in that particular budget.

I would also like to mention what we are attempting to do is maximize the effectiveness and availability of the shows by making several requirements of our contractors. To encourage nonbroadcast as well as broadcast use, our programs on parenting, alcoholism and music are available in several formats, including 16mm film, cassette, and two inch highband color tape so that local education agencies are able to use them.

In effect, we want to insure that what is produced is widely available to school systems across the country at a minimal cost.

For the Children's Television Workshop, that is Sesame Street and The Electric Company, we have the ability to have local school systems make a tape of those programs and use them without any problem of copyright or concern on that part.

So, Mr. Chairman, these are the two programs that I wanted to describe.

If I could summarize, the Commissioner's Discretionary Fund is an excellent vehicle to meet a lot of pressing needs, but it appears to us that greater flexibility will be required. The formula system is cumbersome both for the Congress and for the executive. When you want to do something it becomes hard to do it. You have to revert to ways around the problem rather than dealing directly with it.

There is insufficient flexibility for the Commissioner to respond to new needs. We would hope that as we come before the committee again with a proposal for modifications, that you would consider creating more flexibility in having greater discretion in the process for the Commissioner.

Mr. Chairman, I will be happy to answer questions on the two programs that I have spoken about or perhaps you would like to hear from my other colleagues before we begin your questioning.

Mr. MOTTL. Thank you very much for your outstanding statement this morning. Your statement and those of your two colleagues will be inserted in the record without objection.

[The statements follow:]

Statement by
John Ellis
Executive Deputy Commissioner
for Educational Programs
U.S. Office of Education
Department of Health, Education, and Welfare
Before the
Subcommittee on Elementary, Secondary, and Vocational Education
Committee on Education and Labor
U.S. House of Representatives
Wednesday, July 20, 1977
9:30 a.m.

Dr. Ellis is accompanied by:

Ray Peterson, Special Assistant to the Deputy Assistant Secretary for Legislation (Education), HEW

Harry L. Phillips, Deputy Assistant Commissioner for Legislation, U.S. Office of Education, HEW

Mr. Chairman and Members of the Subcommittee:

I am happy to have this opportunity to appear before this committee to discuss the Special Projects Act and, in particular, those activities carried out under the Commissioner's discretionary authority within that Act.

The Special Projects Act was authorized in 1974 as part of the Education Amendments of 1974, P.L. 93-380, and went into effect in fiscal year 1976. It replaced the old Cooperative Research Act. That law had afforded the Commissioner of Education the authority to expend discretionary funds on critical needs or experimental missions to complement the wide variety of operational programs for which he was responsible.

In addition, a number of programs administered by the U.S. Office of Education prior to 1974 called for small amounts of money to be set aside for use by the Commissioner for funding projects at his discretion. In fact, the term, "Commissioner's discretionary authority," originated with these set-asides.

While the set-asides were eliminated as a part of the consolidations in the elementary and secondary education programs, the spirit of these discretionary authorities reappeared in a limited sense under the Special Projects Act. The stated purpose of the new law was similar in thrust, authorizing the Commissioner "to carry out special projects -

1) to experiment with new educational and administrative methods, techniques, and practices;

2) to meet special or unique educational needs or problems; and

3) to place special emphasis on national education priorities."

The Senate Committee on Labor and Public Welfare in its report accompanying S. 1539 (Report No. 93-763, p. 69) elaborated on the formal statement in the law as follows:

"The statement of purpose for the Special Projects Act is intentionally broad. It is intended to give the Commissioner latitude to fund those contracts and grants he feels of major importance, without the limitations and requirements imposed by narrow categorical authorities. It has been the Committee's experience that each Commissioner has certain areas of education of special importance to him. A number of difficulties face every new Commissioner, as he attempts to devote Federal resources to his areas of interest, be they "Right to Read" or "Educational Renewal." First, almost all Office of Education funds are currently categorical in nature, ill-suited to adaptation to other ends. Second, most such programs have multi-year commitments of funds, leaving little "new money" free to devote to new causes. As a result, a Commissioner unwilling to tolerate the delay inherent in proposing new legislation is tempted to "bend" existing program requirements and to combine different program authorities to secure the base of funding necessary to implement his ideas.

The Special Projects Act is designed to avoid the necessity for such actions on the part of the Commissioner, which inevitably lead to Executive-Legislative confrontations. The new Act eliminates the categories that now limit the Commissioner's discretion. In their place it substitutes a broad authority with minimal strings attached."

Heading into the third year of program operations, it is reasonable to ask if the Act as it is written facilitates the purposes just described. Confining our analysis strictly to that question -- and we believe it is the central question -- we would have to respond negatively.

We shall first review those requirements of the Special Projects Act which in our view have hindered the fulfillment of the law's basic goals and then, based on events which transpired during each budget cycle, provide specific illustrations of the problems that were encountered.

Legislative Requirements

In fashioning the Special Projects Act, the Congress identified seven priorities, and specified that they were to be supported by at least half of the appropriated funds. It further mandated a specific proportional distribution of the resulting set-aside among these seven. The special purpose programs include Career Education, which had previously been carried out under the authority of the Cooperative Research Act, and Arts in Education under the General Education Provisions Act. Consumer's

Education, which had been authorized earlier under Title VIII of the ESEA but never funded, was brought under the Special Projects umbrella. Four new activities complete the array of mandated activities. They are Metric Education, Community Schools, Women's Educational Equity, and Gifted and Talented. Both contracting and grant authority are authorized for these programs.

After meeting the funding requirements for the seven mandated programs, the Commissioner may then theoretically use the other half of the appropriated funds for educational activities which he determines are important. However, under this discretionary authority, only contracts may be awarded.

Since the enactment of the Special Projects Act, five programs have received support under the Commissioner's discretionary authority. For three of these, Career Education, and more recently Women's Educational Equity, and the Arts in Education program, we have received funding under both the mandated and discretionary portions of the Act. The Women's Educational Equity program was created by the Act itself, whereas Career Education and the Arts in Education program were continuing efforts from prior authorities. Educational TV Programming had also been carried out under a previous authority, as was Packaging and Dissemination. In no event, have any new programs been inaugurated under the discretionary authority of the Commissioner since the Special Projects Act was implemented, although some new projects have been added, under ETV for example. The basic reason for this is that the Act, in contrast with its stated purpose, really created a very restricted

discretionary resource for the Commissioner. Constrained by the requirement to match every discretionary dollar with a dollar for mandated programs and committed to the continuation of certain activities created under expired authorities, we find that it is virtually impossible for a Commissioner to respond to educational issues or problems as they evolve over time or to explore new ideas.

A related concern is the law's requirement of a spending plan to be submitted on March 1 of each year. To be sure this is not an onerous task since the report duplicates the budget justifications sent to the appropriations committees. What causes distress, however, is that the authorizing Committees have reserved the right to disapprove these plans. The Executive is already on record as finding this provision impractical and inappropriate, and we concur that it has only served to further limit the flexibility of the Commissioner.

Specific Problems Encountered

1) In developing the FY 1976 budget request, the limited opportunity to launch new initiatives became immediately apparent. The agency had already committed itself to capacity building efforts in Career Education and ETV and to the testing of a new tool for disseminating quality programs to the field. To fund these activities under SPA meant funding mandated activities too. This consumed over $20 million in available resources. Overall budget restraints kept the agency from seeking the

full 50% of funding possible for discretionary programs. At the same time another problem surfaced. The agency shared Congressional interest in Career Education as a priority, but the formula distribution among mandated programs precluded funding it at a level consonant with the agency's desire to continue projects that were exploring and demonstrating ways that the concept could be promoted in the schools. Consequently, there began the practice of requesting funds under both the mandated and discretionary portions. Since the former permits both contracting and grant authority whereas the latter allows only contracts, this mixed arrangement presents an administrative challenge.

2) In FY 1977, the Congress demonstrated that it, too, found that the formula requirements presented a problem that demanded a solution. That year, for the first time under this authority, the Office of Education had requested funds for the National Diffusion Network. The Network had been created in FY 1974 under the Commissioner's set-aside under ESEA, Title III. The FY 1975 appropriation had kept it operational through FY 1976 with about $8.5 million in support. The Administration at the time, while supportive of the Network as a promising dissemination vehicle, requested only $1.2 million as part of the Packaging and Dissemination line item under the Commissioner's discretionary authority. The Congress, however, decided that it wanted to appropriate $7.5 million for this activity.

A peculiar problem developed, however, because 50 percent of the funds appropriated under the Special Projects Act had to be distributed by formula among the categories listed in the Act. In effect, if Congress

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wanted to appropriate $7.5 million for the NDN under the Special Projects discretionary authority, it would have to increase the Special Projects Act appropriation by $15 million. To avoid that, the appropriations Committees cited Sec. 422(a) of GEPA as the authorizing authority for appropriating $7.5 million for the National Diffusion Network. This made funds available to support the Network, but it introduced another problem. Grants had been used as the program instrument for making funds available to local education agencies under ESEA Title III, Sec. 306. Sec. 422 of GEPA required the use of procurement contracts as the program instrument for making funds available. This created considerable strain, made the application and approval process more cumbersome and lengthy, and created hardships for many successful applicants because payments could not be made in advance. Rather, successful applicants, had to be reimbursed for expenditures incurred under the contract. Moreover, contracting procedures are not appropriate for the National Diffusion Network because of the sheer magnitude of the effort. To provide dissemination assistance for the public and private schools across the nation, the Commissioner may no longer award grants but must now enter into binding agreements with about 120 separate offerors.

In FY 1978, with a policy change that argued for the continued maintenance of the Federal commitment to the Network as part of a developing dissemination strategy, we followed Congressional precedent and retained the 422(a) GEPA citation. To have done otherwise could have meant an undesirable pull back on existing commitments to the other discretionary programs. At the same time we find ourselves in the awkward position of compounding the problem just described of having to

use procurement contracts. Even worse perhaps, is that in citing two distinct authorities for a single activity, we are unwillingly contributing to an artificial distinction among program components that are in fact complements of a single dissemination strategy. My testimony today illustrates this anomaly because I will only discuss those components of the Packaging and Disseminating Activity which are carried out under SPA authority, and this does not include the National Diffusion Network, which is the largest single component of that activity.

3) Finally, I should like to point out a problem which began in 1977, but has become exacerbated in the pending budget request. Last year, the Congress sought to increase funds for Arts in Education. To have funded the program in excess of $750,000 using the authority for mandated programs would have required the increase of all mandated programs because of the proportional funding requirement. Consequently, the Congress used the Commissioner's discretionary authority to provide an additional $1 million for the Arts program. In the same year, it increased support for Women's Equity, again using the Commissioner's discretionary authority. In thus avoiding the constraints of the formula, the perogative of the Commissioner to use his authority as he determines has been eroded still further. The process, unfortunately is continuing. Although the agency retained the two increases just mentioned in its FY 1978 request, the House and Senate have added still another $250,000 to the Arts program and the Senate allowed an additional $1.9 million for Consumer Education -- both increases appearing under the Commissioner's discretionary authority.

I understand, Mr. Chairman, that you expressed an interest in the problems we identified in administering the Act. I have sought to convey these to you. But I also know that you are also interested in the specific discretionary activities that have been carried out, and I shall proceed to discuss them now.

Discretionary Activities

I shall not, however, address the activities carried out under the Career Education, Women's Equity, and Arts programs since, as legislative priorities under the Act, they have already been described to you in previous hearings. The portion of funds from this service devoted to them each year is included in the appendix to these remarks as part of a detailed funding history and supporting table. I shall confine my remarks to the two remaining discretionary programs, Packaging and Dissemination and Education TV Programming.

Packaging and Dissemination

The primary purpose of this activity is to encourage the national dissemination of education practices and products which have been developed in various schools throughout the country to facilitate their replication in new sites. The program has essentially three operating components. In addition, dissemination-related studies are undertaken.

a) The Packaging Effort; Studies

To develop a more effective mechanism to promote the widespread adoption of exemplary projects developed with federal support, OE

initiated the Packaging and Field-Testing program in fiscal year 1973. It is specifically designed to facilitate the implementation of exemplary projects in new school sites. School districts interested in installing a successful project are provided all relevant project information in a set of detailed materials called a "Project Information Package" or "PIP". In this fashion, new school districts capitalize on the experience of the originating districts and replace years of developmental effort with a few months of planning and start up activities. Projects selected for packaging have provided convincing evidence of their effectiveness and have been validated by the OE/NIE Joint Dissemination Review Panel.

Sixteen projects have been packaged to date. The first packaging effort, begun in 1973, resulted in the development of six PIPs representing six compensatory reading and mathematics approaches. In 1974, using the last two years of ESEA Title III discretionary funds to support their local implementation, the six PIPs were tried out in 19 sites across the country, and OE initiated a two year evaluation study of the effort to determine the feasibility of this dissemination approach. This study has recently been completed and the major findings reported are:

- The PIP projects were well implemented and regarded positively in try out sites.

- Use of a dissemination agent, in addition to PIP materials, is necessary for a workable dissemination strategy.

- Some modifications in projects necessarily occur in the adoption process since no two sites are exactly alike.

- Most project students equalled or surpassed normal achievement growth expectations in reading and math skills.

- Eleven of the 19 sites independently continued the projects after ESEA Title III funding ended.

These study results led to the initiation of a number of new activities. The PIPs were revised and refined in 1975 for widespread dissemination on the basis of user comment and experience provided by the field test. In FY 1976, following their revision, OE funded eight dissemination agents in a pilot effort to promote the widespread adoption and implementation of the revised PIPs. Preliminary results of a study examining this dissemination effort indicate that more than 150 PIP adoptions have resulted to date. Efforts are currently underway to transfer the knowledge gained and the strategies used by these agents in disseminating the PIPs to the dissemination agents in the National Diffusion Network since, beginning this fiscal year, PIP dissemination will be handled through the Network.

Much has been learned from this initial packaging effort regarding the value of well prepared materials and the role of materials as part of a dissemination strategy. To transfer this knowledge to those engaged in and perhaps new to project dissemination, a manual on how to prepare project materials was completed in 1976 and should prove to be a useful tool.

The knowledge gained from the initial packaging and field testing effort also proved useful in the development of a second series of PIPs.

Six additional compensatory education projects and four bilingual education projects were packaged in 1975-76. A field try-out of the four bilingual packaged projects this fall will examine the implementation of the projects in a number of sites that are planning to adopt the PIPs under ESEA Title VII grants. The newly developed compensatory education PIPs will be disseminated via the NDN. The strategy here is to respond to the initial PIP research calling for both packaged and personal assistance to adopting schools.

Finally, the initial PIP research indicated that while most projects packaged in the first series lent themselves to the Project Information Package-type of packaging model, limitations of this model were identified and there was evidence to suggest that future packaging of other exemplary projects would require different mixes of personal assistance and packaged information, that is to say, different types of packaging models. In several studies to be initiated shortly, attention will be focused on determining what balance between packaged or written information and face-to-face guidance from personnel at the originating site will facilitate new adoptions.

b) Dissemination Support

In FY 1976, about $440,000 was awarded to eight diffusion contractors to disseminate the field-tested Project Information Packages, but PIP dissemination will be carried out by the NDN hereafter.

Dissemination support activities in FY 1977 and FY 1978 will focus

on the provision of material and trained support for OE's dissemination contractors, such as those who comprise the National Diffusion Network. Approximately $700,000 will be awarded each year to two contractors to establish and operate (1) a Dissemination Materials Support Center and (2) a National Brokerage System for Dissemination-Related Training and Technical Assistance.

Based on past experience in dissemination, it is clear that a variety of high quality materials, while generally not sufficient in and of themselves to effect the transfer of successful programs, are essential tools to a systematic and efficient dissemination/implementation process. The objective of the new Dissemination Materials Support Center will thus primarily be to provide technical assistance to OE's dissemination contractors in improving the quality of their materials. In addition, it will up-date and revise the existing catalog of effective programs entitled, "Education Programs That Work" and prepare and test a manual for dissemination contractors to be entitled, "Packaging Your Educational Program".

The brokerage approach to providing training and technical assistance to OE's dissemination contractors recognizes the fact that training needs are interdisciplinary in nature, must be delivered to geographically scattered clients of different types at different points in time, and are difficult to determine and schedule in advance. As a result, the National Brokerage System for Dissemination-Related Training and Technical Assistance will have the following objectives: (1) To establish a systematic procedure for the identification of necessary dissemination-

related skills and human resources available in each skill area; (2) to develop and implement a systematic procedure for providing Office of Education dissemination contractors with access to the identified resources, including training in utilization of the system; and (3) to provide ongoing maintenance and evaluations of system operations.

c) The National Diffusion Network

As I already indicated, I shall not testify directly about the Network. However, since it is an integral part of our dissemination strategy, I have included a detailed history of its development and description of its operations in an appendix to my statement.

Educational Television Programming

The initial agency thrusts in this area were generated under the grant authority of the Cooperative Research Act. Between 1968 and 1975, when that law was repealed, over $28 million in Office of Education funds had been awarded to the Children's Television Workshop for the development and production of SESAME STREET and THE ELECTRIC COMPANY.

But the agency never intended to confine its efforts to the scope of need which these two highly successful TV shows address. Our long range goal, which we are now carrying out under the contracting authority of the Special Projects Act, is to improve the quality and impact of nationally available television and radio programming. Towards this goal, we have been seeking to stimulate the development of new educational programming, while continuing to subsidize the cost of production,

expansion, and utilization of the ongoing shows. We require that innovative efforts address national needs and that they demonstrate a potential for helping children and adults learn. Once new shows move beyond the pilot stage, we help carry out their production and dissemination.

Our efforts to develop new shows have focused on two grave national problems: alcoholism and the lack of preparation many young people have for their new roles as parents. Alcohol education films with accompanying materials have been in preparation and will be completed with FY 1977 funds. These are suitable for viewing by students in grades 9-12. A series to help parents become more effective as "first teachers" of their children was initiated in FY 1976. The actual production of the series will commence this year and continue in FY 1978.

In FY 1976 we funded two other innovative projects. With our assistance, the Smithsonian Institution produced a 30 minute film on the Black presence in the era of the American Revolution. That year we also funded the design and production of 10 half-hour television programs on music appreciation geared for grades 4-6.

Our projections for FY 1978 anticipate an appropriation level of $5 million or $2 million less than was received each previous year. This dollar level is sufficient to maintain support for programming on parenthood education and assistance for the continued production of Sesame Street. The Electric Company has its last year of production in 1977; it will be going into three years of reruns.

I would like to mention that we seek to maximize the effectiveness and availability of the shows by making several requirements of our contractors. To encourage nonbroadcast as well as broadcast use, our programs on parenting, alcoholism and music are available in several formats including 16mm film, cassette, and two inch highband color tape. To enhance the impact of the shows in educational settings, utilization materials to accompany them have also been prepared. Finally, for all of our programs, including those prepared by the Children's Television Workshop, contractors are required to obtain audiovisual rights for a period of six years so that educational institutions can tape programs off the air and duplicate them for in-school use. Recently, for example, we notified all public and private schools of the availability of "Sesame Street" and the "Electric Company' for taping. In this way, programs that are funded through this activity have a life well beyond the broadcast season.

Conclusion

Now that I have completed these program descriptions, my colleagues from the program offices and I will be happy to answer any questions you may have.

APPENDIX A

Funding History of the Special Projects Act

In fiscal year 1976, the first year of funding under this authority a total of $36,893,000 was appropriated which was $2.1 million less than the budget request. Congress allowed the same amount as requested for all programs except Packaging and dissemination. Instead of the $3.5 million request they only allowed $1.4 million. The mandated programs totaled $21.5 million and the discretionary programs were $15.4 million.

In fiscal year 1977 the administration requested ½ of the amount appropriated in FY 1976 for all of the mandated programs totaling $11.1 million. Under the discretionary portion $18.7 million was requested which exceeded the 50% legislative minimum for discretionary programs. This required point of order language deleting the requirement that no less than 50% of the total amount appropriated shall be for the legislative set-aside activities. The $18.7 million includes $8.5 million for Career education in order to maintain the total for that activity including the set-aside amount at the same $10.1 million level as in FY 1976. Similarly, $2.7 million was requested for the first time under the Commissioners discretionary fund for Women's educational equity in order to maintain it at near the same level appropriated in 1976 under the set-aside portion. Congress did not go along with the set-aside reductions or point of order proposal and allowed $21.5 million which was the same level as in 1976 for all programs under the mandated programs. Under the discretionary portion they added an amount of $1 million for Arts in education with an earmark of $750 thousand for "Alliance for Arts" and $250 thousand for "Arts for the Handicapped". They also added $1 million above the 1976 level for the Women's educational equity program under the Commissioners discretionary portion. In addition they added $7.5 million under the Packaging and Dissemination activity for the National Diffusion Network but citation for said activity was the General Education Provisions Act. This was done to eliminate point of order language but create a very restricted discretionary resource by the Commissioner.

In FY 1978 the amount requested for mandated programs is the same as in the 1977 level. Under the Commissioners discretionary programs the $1 million appropriated for Arts by Congress in 1977 has been maintained in the 1978 request. An additional $815 thousand above the 1977 level of $1 million has been requested for Women's equity programs and an increase of $500 thousand has been requested for Packaging and dissemination. In total however the combined National Diffusion Network and Packaging did not exceed the $10 million level of FY 1977. The $500 thousand increase was merely offset by reducing the National Diffusion Network from $7.5 million to $7 million. All other programs under the discretionary area were requested at the same levels as in FY 1977.

The House and Senate both allowed the same level in 1978 as requested for all programs but two under the discretionary part. Each added $250,000 for Handicapped under Arts in education and the Senate added $1.8 million for Consumer education. To have added these amounts under the set-aside would force the reduction of other discretionary funds as determined by the Commissioner. This was done by Congress to avoid point of order language.

Programs authorized under the Special Projects Act
(Dollars in Thousands)

Legislative Set-aside Programs	Authorization	Authorization %	Reciprocal % if less than Authorization[3] (A)	1976 Congressional Request	1976 Appropriation	1977 Congressional Request	1977 Appropriation	1978 Congressional Request	1978 House Allowance	1978 Senate Allowance
. Metric Education	10,000	10.00	10.076	2,090	$ 2,090	1,045	$ 2,090	$ 2,090	2,090	2,090
. Gifted and Talented	12,250	12.25	12.343	2,560	2,560	1,280	2,560	2,560	2,560	2,560
. Community Schools	17,000	17.00	17.128	3,553	3,553	1,777	3,553	3,553	3,553	3,553
. Career Education	15,000	15.00	15.113	3,135	3,135	1,567	3,135	3,135	3,135	3,135
. Consumer Education	15,000	15.00	15.113	3,135	3,135	1,567	3,135	3,135	3,135	3,135
. Women's Educational Equity	30,000	30.00	30.227	6,270	6,270	3,135	6,270	6,270	6,270	6,270
. Arts in Education	750[2]	0.75	0%	750[2]	750[2]	750	750	750	750	750
Subtotal	100,000[1]	100.00	100.00	21,493[1]	21,493[1]	11,121	21,493	21,493	21,493	21,493
Discretionary Programs										
. Packaging and Dissemination)				3,500	1,400	3,900	2,500[4]	3,000[4]	3,000[4]	3,000[4]
. Educational TV Programming)				7,000	7,000	3,500	7,000	7,000	5,000	5,000
. Career Education)	100,000			7,000	7,000	8,568	7,000	7,000	7,000	7,000
. Women's Educational Equity)				—	—	2,761	1,000[6]	1,815	1,815	1,815
. Arts in Education)				—	—	—	1,000	1,000	1,250	1,250
. Consumer Education)				—	—	—	—	—	—	1,865
Subtotal	100,000			17,500	15,400	18,729[5]	18,500[4]	19,815[4]	18,065[4]	19,930[4]
Total Authorized by SPA	200,000			38,993	36,893	29,830	39,993[4]	41,308[4]	39,558[4]	41,423[4]

Must be at least 50% of total appropriated.

Not less than $750,000.

When Arts in Education is maintained at $750,000 and the appropriation is $100 million or less then the other percentages are affected.

In addition to this amount, $7,500,000 was appropriated in FY 1977 for National Diffusion Network and $7,000,000 in 1978. The authority is not Special Projects but the General Provisions Act. This keeps the Commissioner's discretionary programs below the 50% requirement.

Required point of order language deleting percentage distribution requirement.

Congress increased the Women's Equity program by this amount above the net appropriation for Women's Equity in 1976.

APPENDIX B

THE NATIONAL DIFFUSION NETWORK (NDN)

Rationale for A National Diffusion Network

Over the past several years the Federal government spent millions to develop better educational programs, products and practices. Many high quality programs were developed, carefully evaluated and found effective. Unfortunately, very few of these programs spread to school systems outside the ones in which they were developed. What was missing until recently was a National delivery system that would insure the widespread use of these successful programs in the Nation's schools.

The National Diffusion Network

In FY 1974 the National Diffusion Network (NDN) was developed to fill this gap. The primary purpose of the Network was to promote and accelerate the systematic installation of programs, products and practices that had been developed with Federal research, development and demonstration funds. Use of Federal funds to install a successful program that already had been developed in one State in as many other States as possible would be very cost effective, because an already developed program could be installed in several dozen school systems for the cost of developing a single new program.

Basically, the National Diffusion Network performs three functions:

1. It identifies outstanding programs, products and practices that have been developed by local school systems with Federal research, development and demonstration funds, and it carefully examines the evaluation of these programs to assure that only those that have been found effective will be disseminated and installed.

2. It informs all public and nonpublic school systems in a State about outstanding programs that have been developed and offers assistance to school systems that want to install one or more of the programs.

3. It arranges for the local school personnel who developed these outstanding programs to train other local school staff members in school districts across the country that want to install one or more of the programs included in the National Diffusion Network.

(The Network pays for the training of teachers to implement these programs and for followup technical assistance.) More succinctly, teachers who have developed and operated outstanding programs train other teachers to install and operate these programs.

To assure that only high quality programs are disseminated, the National Diffusion Network limits the programs, products and practices that it disseminates to those that have been examined by the OE-NIE Joint Dissemination Review Panel (JDRP) and found to be effective. Projects, called State Facilitators, are funded in each participating State to inform local school systems about exemplary programs in the Network, to assist local school systems in matching their needs with appropriate programs in the Network and to help defray the costs of sending potential adopters to demonstration and training sites to meet and talk with personnel who developed and operate exemplary programs. The local school district that developed and currently operates an exemplary program receives funds from the Network to provide training and technical assistance to personnel in public and private school systems across the country that have indicated they want to install the program. (These developers of exemplary programs that are funded by the Network to provide training and technical assistance to others are referred to as Developer-Demonstrator Projects.)

Local school districts that install National Diffusion Network programs must pay for all operating costs with State and locally administered funds. NDN funds are only used to assist with some of the initial start-up costs.

Accomplishments

At the present time 45 States and the District of Columbia are participating in the Network with State Facilitator Projects, and 80 exemplary programs that were developed with funds from a variety of sources (ESEA Title I, ESEA Title III, Programs for the Handicapped, Career Education etc.) have been funded by the Network as Developer-Demonstrator Projects.

During the first two years of operation the Network produced 1,000 "deep-rooted" project adoptions per school year. This attests to the Network's success when one compares the number of adoptions (2,000) with the number of school systems in the nation (16,000). The number of States participating in the Network with State Facilitator Projects has increased from 31 in the first year to 46 in the third year. The number of exemplary programs included in the Network has increased from 35 to 80 during the same period. The NDN, which was begun as an ESEA Title III, Sec. 306 activity, and which mostly disseminated ESEA Title III developed programs during its first year of operation, has been generalized in the two succeeding years so that about half of the programs now funded as Developer-Demonstrator Projects were developed with funds authorized under legislation other than ESEA Title III. This year the

Network will be the primary diffusion system used to install 11 of the Project Information Packages developed by the agency's Office of Planning, Budgeting and Evaluation. Similarly, a total of eight additional exemplary ESEA Title I, Compensatory Education Programs will be disseminated through the Network. Migrant Education, Right-to-Read, Special Education, Adult Education and Career Education programs also will be disseminated through the Network.

Evaluation by Stanford Research Institute

The Stanford Research Institute has just completed an evaluation of the operation of the National Diffusion Network during its first two years of existence. A summary of the major findings follows:

- THE NDN IS AN EFFECTIVE MEANS OF DIFFUSING EXEMPLARY PROJECTS
- THE NDN EFFECTED 1,000 PROJECT ADOPTIONS PER SCHOOL YEAR, MOST WITH A HIGH DEGREE OF FIDELITY TO PROJECTS' MAJOR FEATURES
- DEMAND FOR NDN SERVICES FROM INTERESTED SCHOOL DISTRICTS WAS GREATER THAN COULD BE SUPPLIED
- PROJECT ADOPTERS REPORTED THAT THE IMPLEMENTED PROJECT PROVIDED SUBSTANTIAL IMPROVEMENT OVER OLD PRACTICES AND MORE EFFECTIVELY UTILIZED EXISTING RESOURCES
- MATERIALS PLAY A CRUCIAL ROLE IN SUPPLYING OPERATIONAL AND INSTRUCTIONAL DETAIL TO IMPLEMENTING DISTRICTS
- PERSONAL ASSISTANCE IS NECESSARY FOR TRANSFERRING PROJECT SPIRIT AND RATIONALE AND FOR PROVIDING REASSURANCE AND ASSISTANCE DURING IMPLEMENTATION
- LITTLE OR NO DISSEMINATION OF PROJECTS OCCURS WHEN:
  - NO FACILITATOR FUNDED IN STATE
  - EXEMPLARY PROJECTS ARE NOT FUNDED FOR DISSEMINATION

Problems

Most of the problems encountered by the NDN can be attributed to (1) changes in authorizing legislation, and (2) increased demands placed upon the Network in the field that have not matched available resources.

First, the National Diffusion Network was developed as one of several activities first supported with ESEA Title III, Sec. 306 discretionary funds in FY 1974 and FY 1975. This legislation was terminated on June 30, 1975, as a result of the enactment of P.L. 93-380, and the old ESEA Title III, Sec. 306 Commissioner's discretionary authority became

a part of the Special Projects Act. No funds were requested for FY 1976 under the Special Projects Act by the Administration to support the National Diffusion Network, so the Network had no FY 1976 support. The Congress in its Appropriations Report called attention to this discrepancy and expressed its intent to provide support for the NDN in FY 1977. For that year, the administration requested $1.2 million to support the NDN. (The Network had been funded for $9.2M in FY 1974 and for $8.4M in FY 1975 under ESEA Title III, Sec. 306.). The Congress appropriated $7.5 million to support NDN in FY 1977.

Second, demands placed upon the Network, outstripping available resources, began to appear during the second year of operation and have become more pronounced in suceeding years.

In 1974, only a small number of programs had passed the Joint Dissemination Review Panel and all that applied for support as Developer-Demonstrator Projects in the NDN were funded (35). At this time 170 programs that have been developed with Federal funds have been found to be effective and have been approved by the Panel for dissemination. Only 80 of these 170 programs have been included in the NDN and these 80 Developer-Demonstrator projects are funded at very low levels. The number of States with State Facilitator projects has increased at the same time that the number of programs each Facilitator Project is expected to service has doubled.

Funding History

FY 74	$9.2 million
FY 75	$8.4 million
FY 76	$0
FY 77	$7.5 million
FY 78	$7.0 million

Summary

The National Diffusion Network is successfully bridging the gap between (1) the development of programs, products and practices with educational research, development and demonstration funds and (2) the widespread use of the programs, products and practices by educational practitioners across the country. A relatively small expenditure of funds for effective diffusion systems such as the NDN can improve elementary and secondary education by feeding back into the educational system the best programs, products and practices that have been developed.

95-243 O - 77 - 25

FOR RELEASE UPON DELIVERY

STATEMENT BY
DR. DUSTIN W. WILSON, JR.
DIRECTOR, CONSUMERS' EDUCATION PROGRAM
U.S. OFFICE OF EDUCATION
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
BEFORE THE
SUBCOMMITTEE ON ELEMENTARY, SECONDARY
AND VOCATIONAL EDUCATION
COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES
Washington, D.C.
Wednesday, July 20, 1977
9:30 a.m.

Dr. Wilson is accompanied by:

Ray Peterson, Special Assistant to the Deputy Assistant Secretary for Legislation (Education), HEW

Dr. Harry L. Phillips, Deputy Assistant Commissioner for Legislation, U.S. Office of Education, HEW

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Mr. Chairman and members of the Subcommittee:

I am pleased to appear before the Subcommittee today to testify on the Consumers' Education Program and to report on its activities. The principal sources of evidence and information we have about the program are from the grant process itself, in particular the applications received in 1976 and the 66 projects funded in that first year of the program. This information, along with the knowledge and insights gained from the contracts issued, provide the basis for these remarks.

Program Overview

In the first year of the program, FY '76, the Office of Consumers' Education received 858 applications for grants. Eight hundred thirty-nine applications were found eligible and completed the entire review process. Sixty-six proposals were funded. This was 7.85 percent of the applications processed. The recommended funding per project ranged from $4,440 to $130,081, with an average Federal funding per project of $45,448 for a total of $3,135,000, including $134,000 for contracts. A non-Federal input to the funded projects was reported by 36 of the 66 applicants (55%) and totaled $602,182. This averaged $16,727 per project for those reporting non-Federal input.

In FY '77, 695 applications were received of which 676 were found eligible and were reviewed. Grant negotiations are now underway, and it is expected that 55 proposals will be funded. The decline from 66 to an estimated 55 recommended for funding results from a higher average grant request in FY '77 - $52,700 as compared to $64,560.

Under contract authority one major contract and six small procurement orders were let in FY '76 for a total of $134,200. In FY '77 $25,150 have been obligated to date. The special uses to which contract authority has been put will be discussed in detail on page 4 of this report.

In both years the management and procedures used to award grants were in accord with the established practices of the Office of Education. There are always problems inherent in any evaluation of proposals and selection of grantees. Beyond that, the difficulties encountered by the Office of Consumers' Education in its first year were compounded by the fact that 839 applicants requested just under $75 million to carry out work proposed. The appropriation for Fiscal Year 1976 was $3.135 million, or 4.1 percent of the amount requested by applicants. The appropriation for Fiscal Year 1977 was again $3.135 million. Six hundred seventy-six (676) applications were received requesting $44 million. The appropriation will cover 7.2 percent of the requested funding for Fiscal Year 1977. It is very obvious that competition has been keen.

Grants for 1976

AGENCY TYPES

Perhaps the most significant characteristic of this program is the extraordinary diversity of the agencies submitting proposals. Table 1 gives a breakdown of applicants and grantees by agency type, identifying broadly the traditional education agencies as one group and the other public and private non-profit agencies as a second group.

Table 1. Types of Agencies Applying for Grants and Actual Grantees, FY 1976

Agency Type	Applications No.	Applications %	Grantees No.	Grantees %
Education TOTALS	415	49.5	37	56
State Education Agencies	30	3.5	4	6
Local Education Agencies	112	13.5	5	7.6
Institutions of Higher Ed.	273	32.5	28	42.4
Other Public and Private Non-Profit Agencies TOTALS	424	50.5	29	44.0
I National Organizations	148	17.5	11	16.7
II Local Community Org.	115	13.7	8	12.1
III Local Governmental Units	161	19.2	10	15.2

While the educational agencies are relatively easy to categorize, this is not true of the public and private non-profit agencies. Attempts to establish meaningful subgroups out of this major group of applications were difficult; nonetheless, it is a useful and descriptive exercise.

The first of these, Subgroup I, included national organizations, plus non-profit research, education, and service groups. Their geographic orientations ranged from nationwide to community level. They were frequently organized to serve specific ethnic or target population needs, such as the elderly, handicapped or limited English-speaking people. Eleven (11) from this group of 148 applicants were funded. Subgroup II included community action, citizen's action, consumer's affairs, or consumer protection agencies. Most of these applicants proposed work at the community, city, or county level. Eight (8) proposals from this group of 115 applicants were funded. Subgroup III was a mix, including legal aid agencies, departments of local governments not identified with consumer programs as such, Indian agencies, better business bureaus, credit counseling units, libraries, and such other organizations as labor unions, cooperatives, and church service organizations. Ten (10) proposals were funded from this group of 161 applicants, including two from legal aid agencies, two from local governments, one from a labor union, and five from Indian agencies.

It should be noted again that established Office of Education procedures were followed in selection of awardees.

TARGET POPULATIONS

The targeted populations and the special needs unique to those groups is a second significant feature of the Consumers' Education Program projects. Table 2 provides a breakdown of target populations identified by the applicants and compares this with the grantees. Since many projects planned on working with more than one special needs group, numbers and percentages are not additive.

Table 2. Comparison of Special Needs Characteristics of Target Populations of Applicants and Grantees, Office of Consumers' Education, FY 1976

Special Needs Characteristics	Applicants		Grantees	
	No.*	%	No.*	%
Low Income	392	47	24	36
Limited English-speaking	158	19	12	18
Handicapped	49	6	6	9
Elderly	242	29	17	26
Young Adult	202	24	14	21
Migrants	31	4	3	5
Labor	36	4	2	3
Other	332	40	30	45

*Many of the applicants and grantees included more than one special needs characteristic.

The following summary indicates how one group of 1976 projects focused on the special consumer needs of a targeted population - the elderly.

Seventeen or 26% of the 66 projects funded in 1976 felt that there was a need for special emphasis on the elderly to prepare them for participation in the marketplace. Eight of the seventeen focused their attention on elderly only. Not only were they planned to meet immediate consumer education needs of the elderly, but they also included activities to improve understanding of the needs of older persons among the community's businesses and institutions. The thrust of these eight projects is:

(1) To educate the older person to make intelligent choices among alternative goods and services.

(2) To create awareness about consumer frauds which will enable the elderly to avoid being victimized, and instead to maintain control over their resources—to be true to their own desires and priorities.

(3) To train education specialists to work as outreach personnel in communities and through them to serve the elderly and non-elderly poor.

(4) To develop a resource manual and training materials designed to assist persons such as elderly consumer aides, agency staff members, and consumer debt counselors in organizing and conducting consumer education programs.

(5) To develop a consumer education package including a training manual geared to the needs of the elderly who experience the shifts from a pre-retirement to actual retirement status, and finally to a position of exhausted resources.

(6) To develop a model for establishing consumer education delivery systems by means of peer-counseling. To develop a training manual and resource packet as a peer-counseling program aid.

(7) To establish a consumer library in low income areas heavily populated by the elderly.

(8) To provide consumer information for the elderly via radio broadcasts.

These eight projects designed for the older American total $376,630 or 12 percent of the Consumer Education Program appropriation, a clear indication of a significant level of concern by many across the country. Although precise figures indicating numbers benefiting from these projects are hard to come by, the proposals suggested that 150,000 people would be directly assisted by those trained and another 550,000 would be reached by telephone and mass media.1/

EMERGING TOPICS

More far reaching and significant than the diversity in agency applicants and the focus on special populations is the changing substance and scope of the subject matter included in the grant applications. While money management and improved buying practices will always be important in a consumer program (found in almost half of the 1976 projects), new topics and far more complex issues surfaced. In some respects this is a redefinition of the substantive content of consumer education, and even suggests a philosophical undergirding for the professional field.

As an example, costs and problems related to the human services, particularly those associated with health, housing, and other social service systems, were high on the list of topics included by both universities and other public and private non-profit agencies. These topics not only addressed the special needs of different target groups, but also were couched in terms of how consumers of public and social services can function so as to influence human service delivery and contain the ever rising costs. Seventeen of the grants, or 26 percent of the total, were awarded slightly less than $650,000 to address such needs and issues.

1/See appendix 1 for a brief description of eight projects focusing on the consumer education needs of the elderly and identification of nine (9) additional projects which serve the elderly and others.

Energy is another example of an issue receiving increased attention from consumer educators. Nineteen of the 66 projects funded in 1976 included (at least minimally) such topics as energy conservation and consumption, consumers and utilities, and the role of regulatory agencies. It should be stressed that these items were frequently listed as one of several topics to be included, but the frequency with which they were mentioned is important.

Nineteen projects received a total of $775,000 and made up 29 percent of those funded in 1976. While the exact number of persons benefiting is difficult to determine, an applications review indicates that the number would be in excess of 320,000 individuals. Furthermore, it is assumed that since those projects including training provide a multiplier effect, the number of persons benefiting is probably much higher.

One project on energy consumption is unique. It is being conducted by the Northern Colorado Educational Board of Cooperative Services in Longmont, Colorado, and is entitled, "Energy Consumption: Curriculum Development and Inservice Training." The main thrust of the program is to create multidisciplinary curriculum materials for the elementary school level, grades 1-6, and to provide mini-inservice workshops to a minimum of 300 elementary teachers in the six member school districts.

A third example of change in scope of consumer education programs is more theorectical in nature, but is significant. In the past consumer education has been justified partly on the basis of the need for informed consumers so that our economic system might function more efficiently, and partly on the basis of the individual's need for knowledge so that he might better satisfy his own needs. Additionally, they stressed that society as well as the individual benefits from a strong consumer role, and they proposed activities to assist consumers to develop a new understanding of their potential as influencers of the market rather than merely as adjusters to the market - a proactive rather than a reactive stance.

Grants for 1977

In 1977 the closing date for receipt of grant applications was March 10. As of July 15, 1977, 676 applications have been received and reviewed, with 55 recommended for funding. Total dollars requested was $43,642,312, or $43 2/3 million. This compares with approximately $75M in 1976. As shown in Table 3, generally the pattern of submissions is similar, with an increase in applications received from within-State Regional service units; and 2-year Institutions of Higher Education and fewer in number from State Education Agencies. The large number of 1976 applications from Legal Aid units is missing and accounts for about 62 of the 163 fewer submissions.

Table 3. Comparison of Applicants for Grants, Office of Consumers' Education, FY 1976 and FY 1977

Agency Type	Applicants 1976 No.	1976 %	1977 No.	1977 %
State Education Agencies (SEA's)	30	3.5	15	2.2
Intermediate Units	—	—	12	1.8
Local Education Agencies (LEA's)	112	13.5	85	12.6
Institutions of Higher Education (IHE's)	273	32.5	201	29.7
(2 year)	—	—	(39)	(5.8)
(4 year)	—	—	(162)	(23.9)
Other Public or Private Non-Profit Agencies (OPPNA's)	424	50.5	363	53.7
TOTAL	839	100.	676	100.

The staff impression is that there was a material increase in special topic submissions in 1977; e.g., energy, food, or human services. A statistical analysis of 1977 applications will not be available before Late Fall.

Contracts for 1976 and 1977

Early in the life of the program it was decided that the first steps in implementation would include a probe of the interdisciplinary and inter-agency potential of consumers' education programming. To date contract authority has been used for that purpose, with one major contract and six small procurement orders being let in FY 1976. This was supplemented with 4 additional procurement orders in FY 1977.

The one major contract was with InterAmerica Research Associates, Inc., an 8a minority-owned firm located in Washington, D.C. This was a 6-month endeavor designed to study and interpret the interrelatedness of economic and consumer education. The stated purposes were:

1. To initiate the interface between economic education and consumer education at the elementary and secondary levels through development of a model.

2. To assess the content of educator and student materials in both fields in relation to the model.

Findings have been published in the form of a position paper entitled, Consumer & Economic Education (K-12): A Comparative Analysis (see attached) and a script and slide set have been made available to educators and curriculum development committees. The materials are being used in a limited number of summer workshop sessions this year. Presentation to professional and educator groups is scheduled this Fall. It is too early for response to be assessed.

Other small projects have studied potential economic benefits of consumer education, social and technological change and consumer education, and consumer education and the human services. Two "how to" booklets have been developed and are ready for printing. These include, Guide to Instructional Resources for Consumers' Education and Guide for Consumer Action. They will be made available to the general public through the Superintendent of Documents and GSA's Consumer Information Center in Pueblo, Colorado.

Legislative and Appropriation History

The Office of Consumers' Education was established in the Office of Education in 1975. The program is now in its second year of operation.

The legislative history of this program starts at a much earlier date. The Education Amendments of 1972, P.L. 92-318, authorized a consumers' education program as an amendment to the original Elementary and Secondary Education Act of 1965, P.L. 89-10. A Director of Consumers' Education was to be appointed, and grant and contract authority was provided for the purpose of developing interdisciplinary curricula, disseminating information, and providing support for initiation and maintenance of programs such as consumer education training, community consumer education programs, and projects for preparation and distribution of materials by mass media.

The authorization levels were for three fiscal years, 1973, 1974, and 1975, and were $20,000,000, $25,000,000, and $35,000,000, respectively. There was no appropriation for any of these years.

(P.L. 92-318, Sec. 505 (a) 1-3 and Sec. 811)

The Education Amendments of 1974, P.L. 93-380, reaffirmed the intent of the Congress that a Consumers' Education program be established in the Office of Education. In most respects the legislation was the same as that passed in 1972; the establishment of an Office of Consumers' Education was added to the original legislation. The new authorization levels were not to exceed $15,000,000 for each fiscal year ending prior to July 1, 1978.

(P.L. 93-380, Sec. 811, and with footnote reference to Sec. 505 of P.L. 92-318)

The first appropriation for the Consumers' Education Program was made in fiscal year 1976 under the Special Projects Act of 1974, P.L. 93-380, which provided umbrella legislation for Consumers' Education and six other special category programs. In the case of Consumers' Education inclusion is accomplished through reference to Sec. 811 of the Elementary and Secondary Education Act of 1965 and with the provision that "No appropriation may be made for any fiscal year for the purpose of 811...during which funds are available for the purposes of such sections under the provisions of ...(the Special Projects Act.)" Inclusion in the Special Projects Act gives the following added directives regarding program implementation:

"...to carry out special projects—
(1) to experiment with new educational and administrative methods, techniques, and practices;
(2) to meet special or unique educational needs or problems; and
(3) to place special emphasis on national education priorities."

(P.L. 93-380, Special Projects Act)

Program Problems

From the experience and knowledge gained from reviewing and analyzing over 1,500 proposals, certain programmatic and substantive problems are emerging and are listed below. Their order is not meant to indicate any priority.

1. Expectations and Program Resources

When the Consumers' Education Program was first announced, it served as a focal point for the many agencies and organizations concerned with the wide variety of consumer competencies that affect American life — from stretching the budget to protecting the quality of the air we breathe. With no other resources available to many of these agencies, the expectations for assistance were far greater than the Office of Consumers' Education's ability to respond.

Traditional education agencies saw an opportunity to broaden their educational objectives. Expectations here were compounded by the fact that many school systems and State departments of education had recently required or encouraged consumer education, yet they had few trained teachers and no instruments for infusing it into the curriculum. They turned to this program for help. Many organizations which never before applied for a Federal grant sought support to work in areas of their respective concerns — with the elderly, low income groups, youth, housing needs, credit counseling, and the like.

Judging by sheer numbers, the applicants seemed to reflect what a recent Harris poll found to be the public's overwhelming desire for consumers' education. Yet questions evaluators first posed have become lingering problems: How to compare excellent proposals in one area of consumers' education with those of equal quality in another area? How to compare, not good and poor applications, but numerous excellent ones, all with well-documented needs, sound management plans, and objectives fitting the scope of the program?

The program applicants and potential applicants could benefit immeasurably from technical assistance from the Office of Consumer Education. However, thus far, staffing and budgeting limitations have not afforded the opportunity to provide technical assistance.

2. Coordination of Consumers' Education Materials

In our pluralistic society there are disparate views regarding consumers' education. For example, consumer education has been organized around professional interests, target population needs, consumer activist movements, business interests, cooperatives, and special interest groups. Each has had its own orientation, source of materials, information

exchange, and training opportunities. This diversity could bring strength and breadth beyond current program levels - if communication and programmatic exchanges occurred. This variety, without exchange, can lead to continued program duplication and redundance.

The Office of Consumers' Education has had under study alternative approaches for meeting the problem of insufficient dissemination and training systems. Both Federally sponsored and other consumer education programs need this assistance. A solution could take the form of a Resource Center for Consumer Education; or it could focus on methods to enrich and reinforce exchanges now in place. Any plan proposed should provide a focal point for the diverse efforts now on-going, should provide for both dissemination and training, and should give some opportunity for the present diversity to, in fact, broaden perspectives regarding consumer education options.

3. Basic Curriculum Development

The applications received and the grants funded from state and local educational agencies repeatedly stressed their need for curriculum materials for grades K-12. While vast quantities of materials of questionable value are available, by far the major portion of these address the expected topics of financial management and improving buying habits. Newer topics and issues such as energy consumption and conservation, utilities and regulatory agencies, or the human services are notable by their absence. Even in what might appear to be an obvious curriculum program overlap between consumer and economics education, the findings of the curriculum assessment contract, Consumer and Economic Education (K-12): A Comparative Analysis (see attachment), clearly indicated the piecemeal approach used in the existing curriculum materials.

Since the state and local education agencies increasingly acknowledge through legislation or agency mandate the need for consumer education in the schools, curriculum development is an area for significant effort.

Summary Comment

From the 1,500 consumers' education proposals from across the country we learn that the level of interest in this subject is high. The numbers alone do not reveal the intensity of the applicants' concern for alleviation of problems citizens face in today's marketplace. As one considers the economic puzzeler of both rising costs and unemployment, and of trends toward an ever more complex marketing system, no less a national emergency exists for consumer citizens today than was perceived to exist in the Sputnik era in regard to education in the sciences and mathematics.

It is time that our nation face forthrightly the necessity for efficiency and temperance in the use of national resources. Continued emphasis upon materialism is not necessarily the key to well-being. Consumers' education should offer an opportunity for citizens to reflect on the need for adjustments in lifestyle. It should provide understandings that they may make informed judgments about use of personal resources in the selection of outputs of our economic system. Consumers' Education provides a vehicle to arrive at personal understanding of quality of life; to see the individual's relationship to economic and societal needs; and to anticipate forthcoming national changes in use of resources. Consumers' education is an important ingredient in our Nation's future - its direction and interests.

APPENDICES

Appendix 1

Name of Organization

(1) Somerset County Consumer Affairs Department
Somerville, New Jersey

Title of Project: Training Public Servants as Intermediaries for Effective Consumer Education

Methods: Three mini-courses will be taught: Consumer Law and Redress, Energy Consumption and Conservation, and Consumer Health Services. The result of this program will be a large and diverse network of public employees able to assist citizens in the area of consumer affairs.

(2) Catonsville Community College
Baltimore, Maryland

Title of Project: "Senior Survival in the Marketplace"

Methods: The Autumn Players, an existing over-sixty drama group at the college, will write and act in five short "trigger" videotapes that portray consumer fraud situations which are most likely to affect senior persons. Other senior adults will be recruited and trained as discussion leaders to take the instructional media package to community locations where senior citizens presently gather for a variety of educational programs by the college.

(3) University of Arkansas at Little Rock
Little Rock, Arkansas

Title of Project: Arkansas Consumer Education Project

Methods: To recruit existing service personnel from Community Action Programs and programs of the State Office on Aging, train them, provide them with materials, and support them through on-site and telephone supervision. The results will be an on-going consumer education service for 150,000 non-elderly poor and approximately 200,000 elderly in Arkansas.

(4) University of Michigan and
Michigan State University
Institute of Gerontology
Ann Arbor, Michigan

Title of Project: Senior Adult Consumers' Education Project

Methods: Elderly consumer aides will be trained to provide assistance to their peers. Professional staff members of programs designed to serve older adults will be familiarized with the consumer problems of the elderly and trained in the use of the Resource Manual.

(5) New York City Community College
Brooklyn, New York

Title of Project: Seniors Teaching Seniors

Methods: To prepare a cadre of senior citizen consumers to conduct neighborhood workshops on specific consumer problems. Spanish-speaking communities will be included.

(6) Virginia Polytechnic Institute and
State University
Blacksburg, Virginia

Title of Project: "Consumer Debt Counseling Project" (Developing Inservice Education Model and Prototype Training Materials for Consumer Debt Counselors Working With Adult Consumers Who Are Over-Extended in Debt and Have Difficulty Meeting Payments to Creditors)

Methods: To conduct a national needs assessment of the professional needs of consumer debt counselors and to assess those needs in the State of Virginia. To develop inservice training materials in modular form. These materials will be field tested with Virginia non-profit consumer debt counselors.

(7) University of Utah
Salt Lake City, Utah

Title of Project: Consumer Education For The Elderly

Methods: In-depth interviews with 300 elderly persons in Colorado, Montana, and Utah will yield a data basis for assessing primary needs. Consumer education materials will be located and analyzed for potential adaptation to those needs.

(8) Texas Tech University
Lubbock, Texas

Title of Project: Consumer Education Demonstration Project: A Peer-Counseling Based Program for the Elderly in Lubbock County, Texas

Methods: To identify consumer problems as experienced by the local population as well as potential volunteer counselors and counseling centers. Following the problem assessment, a training program and materials will be developed for use in an orientation session and various training periods.

The Other Nine (9) Projects Which Dealt With The Elderly:

City of Long Beach, Division of Consumer Affairs, Long Beach, California
Kirkwood Community College, Cedar Rapids, Iowa
Blue Grass Community Action Agency, Lawrenceburg, Kentucky
Task Force on Human Needs, Lewiston, Maine
Ocean County Department of Consumer Affairs, Toms River, New Jersey
Jicarilla Apache Tribe, Dulce, New Mexico
University of Oklahoma, Midwest City, Oklahoma
Central Area Motivation Program, Seattle, Washington
San Francisco State University, San Francisco, California

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Appendix 2

From : Office of Consumers' Education
Subject: Consumer Education, Public's Assessment of Need
Date : June, 1977

Below is a table taken from a national survey, "Consumerism At the Crossroads", conducted for Sentry Insurance by Louis Harris and Associates, Inc., and Marketing Science Institute. This survey was conducted nationwide over a three month period ending February 1977.

Reactions to Compulsory Consumer Education

An even larger proportion of the public (92%) supports a proposal which, unlike the other ideas tested, also receives a vote of confidence from the great majority of business managers, and all the other leadership groups. The consensus is that there should be a compulsory course in consumer affairs for all high school students.

The reason this idea is so universally popular is that almost everyone agrees that students leave high school ill-prepared for their role as consumers, and that the study of consumer affairs would help to remedy this situation. The desire for better consumer education was also mentioned spontaneously in reply to a number of other questions (Tables VI-1 through VI-5).

Table VII-5
SUPPORT FOR COMPULSORY CONSUMER AFFAIRS EDUCATION

To what extent do you think that most people are well prepared consumers when they leave high school - very well prepared, fairly well prepared, not very well prepared, or not at all prepared?

			Leaders				
	Total Public	Consumer Activist	Government Consumer Affairs	Non-Insurance Regulator	Insurance Regulator	Senior Business Manager	Business Consumer Affairs
(Sample size:)	(1510)	(218)	(84)	(32)	(33)	(120)	(53)
	%	%	%	%	%	%	%
Very well prepared.....	3	*	-	-	-	-	-
Fairly well prepared....	18	3	12	3	6	18	11
Not very well prepared..	42	51	52	53	72	57	70
Not at all prepared.....	32	26	36	38	21	25	19
Not sure.....	5	*	-	-	-	-	-

Do you think it would be a good or bad thing if all high school students were required to study consumer affairs?

			Leaders				
	Total Public	Consumer Activist	Government Consumer Affairs	Non-Insurance Regulator	Insurance Regulator	Senior Business Manager	Business Consumer Affairs
(Sample size:)	(1510)	(218)	(84)	(32)	(33)	(120)	(53)
	%	%	%	%	%	%	%
Good.....	92	98	97	97	97	79	96
Bad.....	3	1	1	-	3	15	-
Not sure.....	5	1	1	3	-	6	4

FOR RELEASE UPON DELIVERY

STATEMENT BY
PAUL W. TRENPER
ACTING DIRECTOR, COMMUNITY EDUCATION PROGRAM
U.S. OFFICE OF EDUCATION
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
BEFORE THE
SUBCOMMITTEE ON ELEMENTARY, SECONDARY,
AND VOCATIONAL EDUCATION
COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.
Wednesday, July 20, 1977
9:30 a.m.

Dr. Tremper is accompanied by:

Ray Peterson, Special Assistant to the Deputy Assistant Secretary for Legislation (Education), HEW

Harry L. Phillips, Deputy Assistant Commissioner for Legislation, U.S. Office of Education, HEW

Mr. Chairman and Members of the Subcommittee:

It is my pleasure to appear before you this morning to review the status of the Community Schools Act, which is a part of the Educational Amendments of 1974 (Part IV, Section 405, Public Law 93-380).

In American educational history, schools have been used for many different activities. As the western half of the United States was being settled, schools served as sites for church services, town meetings, courts, and many other purposes. Often the school was the only public building in a town. During the period of economic depression of the 1930's, schools housed communal food preserving activities, programs of hot meals for the poor and vocational retraining programs for adults.

During both World Wars, volunteers packed bandages and made clothes for soldiers in the schools. Schools also served as collection points for recycling materials needed in the war effort. During the Cold War period of the 1950's, many schools served as emergency fallout shelters and housed food and medical supplies. Schools have been continually used as emergency hospitals, refugee centers, and communications centers during periods of natural disaster.

The Federal Community Education Program is both building on the above-mentioned elements of American educational history and developing significant new patterns. The Community Schools Act stresses:

—greater utilization of public facilities including, but not limited to, public school facilities;

—providing educational, recreational, cultural and other related community services in accordance with the needs, interests, and concerns of the community;

—continuous involvement, on an advisory basis, of groups and community members in the planning and carrying out of the program;

—coordination with other agencies and groups in the community including, but not limited to, local community colleges, social, recreational, and health groups.

The legislation provides funding for grants to:

Local Education Agencies—to initiate, expand, or maintain one or more community education programs;

State Education Agencies—to provide developmental and technical assistance to one or more local community education programs;

Institutions of Higher Education—to provide short-term training programs to individuals involved in operating community education programs.

Grants are made for a twelve month period. Grantees who wish to be considered for funding a second year must submit an application that will be evaluated in competition with all applications submitted.

The Federal Community Education Program has generated considerable interest in community education development. A measure of that interest is the fact that over one thousand applications have been received by the Office of Education during the first two years of operation and less than two hundred applications were funded. Additionally, approximately 7,000 separate inquiries regarding the Federal program have been received by the community education staff. Also, approximately 4,000 individuals have attended sessions and meetings on the Federal program.

The authorization level for the Community Schools Act is $17 million. For both Fiscal Years 1976 and 1977, the program received an appropriation of $3.553 million. For the first year, a total of 93 grant awards were made with a majority of the funds going to support the leadership, coordinating

and administrative costs involved in operating the program. Thirty-two State education agencies were funded, the average grant being $48,875, 48 local education agencies were funded, the average grant being $32,583, and 13 institutions of higher education were funded, the average grant size being $32,693. For Fiscal Year 1977, 440 applications were received; 341 from local education agencies, 38 from State educational agencies, and 61 from institutions of higher education. Grant awards are now being negotiated on the approvable projects.

The level of interest on the part of State education agencies is unusually high for a discretionary program. The fact that 38 applied for funding last year is indicative of the support community education has attained throughout the country. Among the State education agencies funded last year were: Michigan, Kentucky, Iowa, Illinois, New York, Ohio, New Jersey, California, Minnesota, and Alabama.

The role of the State education agency is critical if community education development is to accelerate in any one State. In addition to providing developmental and technical assistance to local education agencies, the State education agencies:

--work cooperatively with other State agencies to promote the utilization of other existing resources for community education development;

--disseminate information widely on community education development;

--explore the feasibility of developing State legislation for community education.

To illustrate the successes being achieved by the State education agencies in meeting the objectives of the legislation, we would like to offer the

following examples:

The Kentucky State Department was awarded a grant of $71,936 on August 1, 1976. Under the leadership of the State director of community education, the following milestones have been accomplished:

--the State education agency has been providing continuous developmental and technical assistance to 35 selected districts;

--4 workshops were developed and attended by representatives of the 35 districts;

--none of the above-mentioned districts reported having community education advisory councils at the beginning of the project. As a result of assistance from the State education agency, 11 districts report they established advisory councils;

--at the beginning of the project there were 99 community schools in operation in the 35 districts and a total of 137 will be in operation during the 1977-78 school year.

--87,700 citizens were involved in community education programs in the 35 districts;

--the State education agency community education administrator is working with five State universities and Lee's Junior College to provide community education training;

--the State education agency and Kentucky Administration on Aging have agreed to sign a Joint Statement of Understanding to promote the utilization of community schools for delivering services to older Americans.

The New Jersey State Department of Education received a grant of $66,000 from Fiscal Year 1976 funds. Among other things the State education agency community education staff reports that:

--approximately $200,000 will have been generated by the State education agency for community education development by September 1, 1977;

—the $200,000 granted the SEA is being matched two or three times by local education agency resources.

As indicated earlier, 48 local education grants were awarded with Fiscal Year 1976 funds. The Community Schools Act mandates that the Commissioner insure that there is an equitable geographic distribution of community education programs throughout the United States in both urban and rural areas. The figures provided below indicate that the Office of Education has been responsive to the intent of Congress on this issue.

	Number of Grantees	Percent of Total Grantees
Rural	23	47.91%
Urban	12	25.00%
Suburban	13	27.09%
TOTAL	48	100.00%

Although the law allows for the utilization of different types of public facilities, the main emphasis is on the utilization of public elementary or secondary schools. An analysis of projects funded last year indicates that approximately 96 percent of the local education agency grantees utilized the public school for a majority of program activities and functions.

The Community Schools Act defines community education in part as "providing educational, recreational, cultural and other related community services for the community". It is interesting to note that among last year's grantees, a vast majority indicated that the above-mentioned activities were in fact a part of their community education program. Provided below are data on the type of activities offered.

Type of Services Offered	Percent of Total Grantees
Educational	83%
Cultural	72%
Recreational	74%

Health care services were offered by a number of the local education agency grantees. The community school, because of its close proximity to community residents, is an ideal vehicle for delivering such services. The following are a sampling of the services offered:

Type of Health Service	Number of Grantees
Preventative Health Care	9
Counseling Services	6
Day Care	5
General Health Care	11

The legislation mandates the Commissioner of Education to establish or designate a national clearinghouse to gather and disseminate information on community education. The Federal Community Education Clearinghouse was established through a contract to Informatics Inc. of Rockville, Maryland. The Clearinghouse focuses on several critical areas of concern by providing:

--a means for matching information needs with appropriate answers, alternatives, and resources--a response/referral system;

--a mechanism to examine trends in community education that can be utilized by the U.S. Office of Education in developing policy and alternative program approaches for local and State education agencies;

—a means for collecting and disseminating information about policy, programs, research data needs, and exemplary and innovative practices;

—a means for convening persons from community education to bring particular perspectives and expertise to bear on issues affecting community education.

Perhaps the most unique aspect of the Clearinghouse relates to the response/referral system. A toll-free hotline number has been established that allows citizens from around the country to call for immediate response to their concerns and needs. This newly established system will help to meet the rising information needs of community educators. The Clearinghouse can be reached by dialing, toll-free 800-638-6698.

The concept of community education is gaining increasing attention by other groups and organizations for its potential to solve community related problems. The following are but two examples:

—The Administration on Aging, U.S. Office of Education, and the Older Americans Volunteer Programs, ACTION, have recently entered into a Joint Statement of Understanding. These agencies recognize the potential of the community school for delivering services to the elderly and pledge to work cooperatively to realize this objective. Additionally, the agencies pledged to create opportunities for older Americans to volunteer their vast and creative energies in community schools.

To date, numerous States have held State-wide workshops to explore methods for achieving these objectives. It is anticipated that joint planning efforts between representatives of the three agencies will be held in many communities in the weeks ahead. Such efforts should lead to more efficient utilization of existing resources.

—The State Subcommittee to Investigate Juvenile Delinquency in its final report, entitled: Challenge for the Third Century: Education in a Safe Environment, highlights community education as one of several strategies that can help to prevent or reduce violence and vandalism in the schools. The report concluded that "the most costly acts of vandalism take place after school hours or on weekends when there are relatively few people in school". Since community education extends the use of school facilities beyond the hours of the formal instructional program, the periods during which vandalism is

likely to occur would be decreased.

The report continues, "There are indicators that programs grounded in community school concepts may also help to reduce violence by providing schools with a more positive and active role in community affairs and the solution of student problems.

The above-mentioned report appears to confirm the contention held by numerous community educators that community education can be a deterrent to school vandalism and violence.

Thank you, Mr. Chairman. I will be happy to try to answer any questions you might have.

Mr. MOTTL. I think we will hear from your two colleagues before we proffer questions. I know there is going to be a Democratic Caucus shortly so we will next hear from Dr. Paul Tremper, Director of Community Education, U.S. Office of education.

STATEMENT OF DR. PAUL TREMPER

Dr. TREMPER. Thank you very much, Mr. Chairman. It is a pleasure to be here this morning to review for you the developments in the Federal education program and more particularly the Community Schools Act which is part of the Educational Amendments of 1974.

The Community Schools Act is the first time that the Federal Government has provided direct categorical aid for the development of community schools.

Today, according to statistics provided by the Charles Stewart Mott Foundation, approximately 1300 school districts are operating community schools and over 5,000 buildings are so identified as community schools throughout the United States.

I think it is noteworthy to mention the fact that most of this development has been in the last decade. The Community Schools Act is building both on the developments of the past and also I believe setting significant new directions and patterns for community education development.

The Community Schools Act specifically stresses greater utilization of public facilities including, but not limited to, public school facilities. It stresses providing educational, cultural and other related community services in accordance with the needs, interests and concerns of the community; continuous involvement, on an advisory basis, of groups and community members in the planning and carrying out of the program and coordination with other agencies and groups in the community including, but not limited to, local community colleges, social, recreational and health groups.

The Community Schools Act has generated considerable interest throughout the country. As a measure of the interest that this program has generated, I would like to share with you a couple of statistics.

Fiscal 1976 was the first year this program received an appropriation. The program received 660 applications requesting a total of $37 million. We were able to award 93 grants which is approximately 14 percent of those that were submitted.

This year, 1977, saw the program receive approximately 450 applications requesting some $23 million. The legislation makes grants to three categories, the first to State education agencies.

I would say at this point that we feel the role of the State education agency in community education to be very critical because it allows for an individual working in the State department of education to go out and to work on a continuing basis with local education agencies and other groups that are interested in community education.

I think it is the continuing involvement with people at the local level, continuing assistance, which is so important in the development of any program such as the community education.

I think it is also noteworthy to mention that last year we were able to fund 32 State departments of education which means that in 32 States, including Ohio, there is a full-time administrator and an Office for Community Education Development. Likewise, there are in each of the 50 States now an individual who is so identified as being responsible for community education development.

In New Jersey the State education agency is one of those receiving a grant under the Community Schools Act. As a result of the efforts of the staff in that State department working on community education, the staff has been able to generate some $200,000 for development of local programs in the State of New Jersey and interestingly, each of these $200,000 has generated or been matched by at least $2 or $3. The matching funds have come from local districts.

So we see in this case that because of the efforts of the State education agency, that they have been able to generate other resources than the Federal dollars for community education development.

In Kentucky, another example of a State education agency that has been funded with our monies this past year, at the beginning of the year they were working with 35 school districts in terms of going out and providing ongoing, continuing technical assistance. There were 99 community schools identified in these 35 districts. It is projected at the beginning of next year, September 1, 1977, that approximately 137 community schools will be in operation. So that is quite an increase in a period of one short year.

At the local education agency level last year we were able to make 48 grants to school systems that were interested in the development of community education.

I should point out that although there are many different definitions in terms of what is community education and what should be included in a community school, I think one of our principals best described a community school from our point of view. She described her school as a "one-stop shopping center for community and social services" meaning that because of the school's close proximity to the people in which it serves, that it was possible for people to go to that particular facility and receive not only activities and programs, but also to receive other social services such as health and nutrition and other needs.

The school, because of its close proximity to the people it serves, is seen in many communities as an ideal vehicle for the delivery of social services.

For example, health services is one target that many of our grantees last year included in their programs. Nine of our grantees in the local education agency indicate to us that they are providing preventive health care services in the community schools. Six are providing counseling services on an ongoing basis to both adults and teenagers. Five are operating day-care centers in the schools that allow mothers to deposit their children in the morning and seek gainful employment. Eleven have indicated that they are providing, through the community school, general health care for the total community.

I think that these measures do indicate that the community schools that we are funding are meeting the congressional intent.

In conclusion, Mr. Chairman, I would like to point to a couple of noteworthy happenings at the Federal level that indicate that the community school does have the potential for solving some of our community problems. The Senate Subcommittee to Investigate Juvenile Delinquency in its final report entitled "Challenge for the Third Century: Education in a Safe Environment," highlights community education as one of several strategies that can help to reduce violence and vandalism in the schools.

The report concluded that, "The most costly acts of vandalism take place after school hours or on weekends when there are relatively few people in schools. Since community education extends the use of school facilities beyond the hours of the formal instructional program, the periods during which vandalism is likely to occur would be decreased."

The report continues, "There are indicators that programs grounded in community school concepts may also help to reduce violence by providing schools with a more positive and active role in community affairs and the solution of student problems."

The above-mentioned report appears to confirm the contention held by numerous community educators that community education can be a deterrent to school vandalism and violence.

Another indicator of the interest that the community school is generating at the Federal level is the fact that the U.S. Office of Education, the U.S. Administration on Aging and the ACTION Older American Volunteer Programs in January of 1976 signed a cooperative agreement which stressed the important role that schools could play in terms of delivering services to the elderly.

It also stressed the fact that older Americans have a wealth of resources and background which could be utilized very effectively in the classroom as well as in other volunteer roles in the community.

As a result of this particular agreement at the Federal level, a series of State workshops, some 15 at this point, have been held in States throughout the country that have involved educational and aging leaders to explore various ways that schools can be utilized to serve the total community and more particularly the elderly.

I was in Louisiana just several weeks ago and attended a conference where some 300 people were present representing most of the major and smaller towns in the State. We are hoping as a result of these workshops that what will happen will be more cooperative planning between the Administration on Aging area offices and school officials that will open up more schools for utilization of services for the elderly.

This summarizes my testimony before you, Mr. Chairman. I would be pleased at a later point to answer questions.

Mr. MOTTL. Thank you very much, Dr. Tremper. We certainly appreciate your fine statement.

Next we will hear from Dr. Dustin Wilson, Director of the Office of Consumers' Education, U.S. Office of Education.

Before you proceed, Dr. Wilson, I am going to have to excuse myself very shortly so I will not be here for the conclusion of your remarks but our extremely capable counsel for the majority and the minority will be here and they will proffer some questions for the record, if you don't mind.

Please forgive us because of this Democratic Caucus that requires our attention.

STATEMENT OF DR. DUSTIN WILSON

Dr. WILSON. Thank you, Mr. Chairman.

I would like to address four general areas, presenting an overview of the program, the unique characteristics of the projects, some of the problems they face, and some of the emerging or developing issues.

By way of a quick overview, we had 839 applications in the first year (FY '76) requesting $74 million, or about 25 times the appropriation level. We were able to fund 66 projects at an average of $45,500 each. Seven contracts were issued in that same year.

In the second year, there are 676 applications requesting almost $44 million, which is 14 times the appropriation level. Fifty-five of these grants are now in the grant negotiation process. They have not yet been funded. We have obligated about $25,000 in contracts this year.

In the first year, applications were received from all 50 states, the District of Columbia, Guam, and Puerto Rico, and 33 States were represented in terms of final funding. Although neither the regulations nor legislation requires it, 36 of the 66 funded projects had in-kind contributions totalling in the neighborhood of $600,000.

The program characteristics probably are the most striking feature of the entire program. They also reflect the intent of Congress. The Congress, in the legislation, stated that adequate resources do not exist for consumers to learn to function effectively in the marketplace. Clearly, the grants reflect the foresight of this congressional statement.

Out of the 839 applications the first year, approximately half came from educational groups, local school systems, State agencies and universities. The other half came from other public and private nonprofit agencies, again a group specifically identified by the legislation. These other public and private nonprofit groups are described in more detail in the written testimony which comments on the three subgroups. First, there is a national group which includes the national organizations, research and service groups. The second includes public interest research groups and governmental units. The third is a mixture of legal aid socities, credit counseling groups, Indian agencies, labor unions, and the like.

Local school systems and the State education agencies in their applications were basically dealing with the organization of the schools and institutions they represented and were dealing primarily with training of teachers and the development of curricula. University projects addressed a broad range of concerns, including the handicapped, senior citizens, television, and community services.

The second major feature of the consumer education program is related to target groups addressed by the grantees. As could be expected, the needs of the low income people were addressed with the highest frequency. However, the definition of low income stretched across a broad range of groups. It included the low income in urban and rural areas, Indian populations, the people with limited English-speaking capacity and also the handicapped.

Of particular interest is the attention the applicants paid to the elderly. Seventeen of our projects indicated that the consumer needs of the elderly were of particular concern. Eight of those 17 paid exclusive attention to that. They were primarily dealing with how the elderly citizen with a limited and fixed income can address the problems of health and welfare and better marketing and shopping within their own community.

A third issue arising out of the projects has to do with the kinds of problems addressed by the grantees themselves. These serve to indicate a national problem. I would like to mention four.

First of all, there is the extraordinarily high level of interest which can be identified in terms of the large quantity of applications. While it is difficult to identify in terms of numbers the intensity of concern for the various target groups is evident. Repeatedly requests for technical assistance of one sort or another from the grantees and many other groups come to our office. We have difficulty meeting the requests with our limited staff.

We have, made an effort to respond to some of those requests through the preparation of materials which we have disseminated to the 66 project directors, to consumer education leadership people throughout the country, and to others who request it.

A second problem which surfaced from the grants process is the need for the coordination of materials and information. Almost without exception the grantees and the applicants, both implicitly and explicitly indicated a need for a centralized resource or information system to locate training and materials as well as specialized materials for low income or non-English-speaking people. Such materials may exist but they have not been collected, evaluated, or disseminated.

Basic curriculum was general problem. This came up very early in the life of the Office of Consumer's Education itself. Under the encouragement of the Departments of Labor, Commerce and HEW, our office was able to undertake a small but significant curriculum assessment, examining the interface between consumer education and consumer economics.

The results of this assessment illustrated the piecemeal approach used in the curricula of consumer education and consumer economics. In fact it seemed each pretended that the other group didn't exist. There was a dearth of materials which really had a sound

conceptual base, and particularly was there a shortage of curriculum materials suitable for low income communities.

As an aside, while each of those areas, consumer education and consumer economics, presume in the overall to alleviate the debilitating effects of certain social conditions individuals face in everyday life, neither one has done well in preparing materials or providing training opportunities for such societal problems.

The fourth national problem is basically in the area of preparation of teachers themselves. What we have is a disparate approach to consumer education, being taught by teachers who may have little or no training in the area itself. This, by the way, is also true in the field of consumer economics where many times you have teachers who have barely done any college level work in economics.

Furthermore, in a recent survey done by one of our grantees, barely 10 percent of the graduating class in 84 colleges surveyed have had even one course in consumer education. The need for training people in the area of consumer education is clearly most critical.

In terms of the issues which emerged from the substance of the proposals, we find a very interesting set of new directions. First, we have the topics themselves. Consumer education has historically dealt with money management, approved buying practices and individual decisionmaking. While we find that these continue to be present in consumer education, we also find the attention to human services, such as health, housing, transportation and even education itself are of prime interest. Seventeen of our grantees identified this idea of human services as a topic of prime concern in consumer education.

A second new topic is that of energy. How consumers face the energy issues of today, whether they be elderly or young, was targeted repeatedly in the first year's grants. It would appear, although we have not completed a survey of the second year, that this is even a higher priority this year.

A third topic which has surfaced for the consumer education grants is that of governmental regulatory activities. As the local, State and Federal governments become increasingly involved in consumer affairs through consumer protection legislation and the delivering of social and public services, the need for consumer education to develop materials and training programs was identified by grantees and the office of Consumer's Education as significant and new to the field.

The second major category almost represents a philosophical change, moving from individual decisionmaking to the ways individual can affect the conditions of supply. As the consumer is faced with a market which is increasingly complex and more technologically sophisticated and which is accompanied by the confounding effects of division of labor and declining national resources, the simple concept that training in individual decisionmaking will be adequate for consumers to compete in the marketplace has been questioned. Serious discussion among people in the field suggests that perhaps consumer education needs to add the concept of how to influence the conditions of supply not merely react to them.

In summary, Mr. Chairman, I would like to say that from the 1500 consumer education proposals we received this past year, while we learned that the interest in this subject is high, the numbers alone do not reveal the intensity of the applicant's concern for alleviation of problems citizens face in today's marketplace.

Furthermore, as one considers the economic puzzler of rising costs and unemployment and the trend toward an ever more complex marketing system, I believe no less a national emergency exists for consumer education today than was seen to exist in the Sputnik era for education in science and mathematics. I believe consumers will have to face forthrightly the necessity for efficiency and temperance in the use of our national resources. These all involve serious decisions and illustrate the need for consumer education.

I thank you very much for your attention. I will be happy to answer any questions you should may have.

Mr. QUIE [presiding]. Thank you for your testimony.

Let me get a picture to begin with on how the grantees are selected. What kind of information do grantees receive to help them in preparing their application?

Second, under what kind of criteria are they selected?

Dr. WILSON. The question of program information dissemination is always a problem. Certain groups always seem to find out more than others. However, it is basically through the Federal Register that the regulations and evaluation criteria are published. That is the official source of consumer education programs.

The field itself also has what one might call an unofficial network which involves people in State agencies and local school systems. The professional consumer organization, the American Council on Consumer Interest, which deals with the professional field on consumer education is another source. There were also many newsletters which announced the program. The Paul Douglas Research Foundation, for instance, has a newsletter which they distribute. The National Consumer Information Center along with other community groups also passed the word.

We have attempted to help grantees who are making their first attempt at preparing a grant proposal. We prepared two publications for this purpose. One was a question and answer sheet giving a description of what the program is about. That is included in the written submission materials. A little pamphlet titled, "If You Are Writing Your First Proposal" is also included. We find this is requested with incredible frequency and had no idea it would be as popular as it is.

Those are basic ways in which information about the program is disseminated.

The criteria for selection of grantees are those which are published in the Federal Register. The legal definition of whether or not they are eligible is pretty broad.

Mr. QUIE. That is pretty broad.

Dr. WILSON. Which by the way I think is the strength of the program, also.

Mr. QUIE. Are these all postsecondary schools?

Dr. WILSON. No, not at all.

In the educational group, in the first year we had ten: two State education agencies, five local education groups, and three intermediate units. Then there were 30 institutions of higher education, including a regional lab and community and junior colleges. The balance is with the other public and nonprivate agencies.

Mr. QUIE. What is the breakdown of individuals who participate—maybe your testimony indicates that—between those who are in secondary schools, those who are dropouts from secondary schools and those who are postsecondary?

Dr. WILSON. There is no accurate answer to that question. We have one project in a northern Colorado intermediate district dealing with elementary schools. The other four school systems are dealing with secondary schools predominantly.

In terms of dropouts, we would have a hard time identifying any data other than the fact that the bulk of our projects do deal with adults and their problems. Many of the colleges are also dealing in community activities, particularly in the health and social services area.

Mr. QUIE. So most of them, the highest percentage, are those who are not in formal education right now?

Dr. WILSON. I would say about two-thirds.

Mr. QUIE. Why aren't the third that are in formal education provided the consumer education as a part of their curriculum?

Dr. WILSON. Well, I think there are a couple of answers to that. One is the very real one. As an ex-school superintendent, I know that schools have the problem of curriculum crowding. What goes in and what comes out of a curriculum? How do you add a new subject area to a program?

The second one I think is a problem which this program is addressing through the grants. That is how best should consumer education be part of a school system. Should it be an individual course or part of a total overall school system curriculum.

In one State, New York, the State educational agency studied those courses offered in high schools which they could identify as consumer education. Barely six and a quarter or six and a half percent of the student population in their high schools were enrolled in those courses. That is all; so consumer education clearly has a ways to go.

I think the way to infuse consumer education into schools must be not just one approach. In addition to specific courses taught, it would include infusing a full range of consumer education activities in other curricular areas.

Not too long ago in one of the P. T. A. back-to-school programs for my own children, I was sitting through the driver's education course when it dawned on me that the driver's education program presents a beautiful opportunity for consumer issues to be addressed, for instance, maintenance, and purchasing.

That kind of an approach could be a way to get consumers' training in education into the school system.

Mr. QUIE. On a philosophical question, why is it the secondary schools don't address themselves to this question more? You say something between 6 and 7 percent of the students are in a consumer education program. One tends to think of his own experience.

As I recall in high school everybody had to take consumer education courses, bookkeeping of your own house and how you do things in business, arrangements of purchase and sales, and all of that, back in those ancient days, the early 1940s.

Dr. WILSON. I remember those very well.

Mr. QUIE. At least in that high school they did, and what you say is evidently true. Many surveys which indicated there is woeful ignorance on just the basic things of how to go to the grocery store and buy.

Dr. WILSON. I think again it may be a function of the definition. Furthermore, what happened since you and I were in high school is that there has been a little bit more departmentalization of what goes on in the schools so the generalist approach is less prevalent.

I also believe that the complexity of consumer education has made it difficult for teachers to deal with so the tendency is not to deal with it. Teachers will try to do the very best they can in social studies or math or whatever they were trained in. When they start getting into the area of insurance, credits and warranties, or other areas about which they know little, they tend to withdraw from teaching those areas. This relates back to my earlier statement that there is a major need for teacher training and retraining, particularly retraining.

Mr. QUIE. I recognize that we are in different times also when we go back 50 years, for example. Then more students lived and associated with their parents. Children learned about consumerism that way more directly than now when a large percentage of the people live in large cities and are isolated from the jobs of their parents. It is also a little different arrangement in the supermarket than it was in the Ma and Pa store. A lot of the education was just picked up naturally back in those olden days as compared to now.

We adopted all the special projects and they were supposed to be sheltered for a period of time. Then conceivably after that, if we would go through with what the attempt was, then it would be in one large sum of money in which you go ahead and fund what needs to be done.

Maybe Dr. Ellis ought to approach that area. I don't know, but I wish Dr. Ellis would address himself to it sometime, because there are two approaches: Can they go ahead and compete with other programs? Do we have to keep wet-nursing certain ideas? And, secondly, in the administration of it, how much time and effort do you put into this type of program as compared to larger ones like vocational education or ESEA and some of the larger programs?

Dr. ELLIS. Mr. Chairman, I think it would be fair to say that we would prefer more flexibility than the present law permits. The programs all have merit and I think that in one form or another they would be continued; but currently the law was established to be a Commissioner's discretionary fund and enable the Commissioner of Education to have some degree of flexibility in meeting problems that were not foreseen.

No matter how astute the Congress may be or the Administration might be in proposing legislation, there are always new needs that emerge and there are always requirements to respond to the problems.

The basic difficulty we have with the legislation is that it is too prescriptive. We have a number of programs. Seven are mandated and percentages of monies that must be spent are mandated, and in order to fund them at levels that we think are appropriate, we have to fund them frequently under two different authorities, and this does create an administrative burden, so I think it is fair to say that it would be better in the longer term to permit more flexibility.

I think those that ought to be continued would be continued because we are dealing with significant issues.

Second, it would be simpler to administer and there would be less time.

As to your question comparing how much time we spend with others, I really cannot respond with any personal knowledge, but I do know that the present requirements are somewhat cumbersome. For example, we would like to have contracting and grant authority for some of the discretionary programs and currently only contracting authority obtains; so that it does create an administrative burden that is needless.

Mr. QUIE. Would you be able to provide that information for us for the record, of the time that is spent in these special programs and probably the administrative money as well, as compared to the larger ones so we can kind of get a picture just on the whole administrative responsibility?

Dr. ELLIS. Certainly, sir, we will do so.

[This issue will be treated more fully in testimony to be delivered to the Subcommittee on August 3rd.]

Mr. QUIE. I have to go to another meeting. I would like to have the counsel for the majority and the minority both be able to ask some questions; and I apologize for the fact that Republicans and Democrats are caucusing this morning. I am sure it is for a good purpose.

Dr. ELLIS. I hope so.

Mr. JENNINGS. If I could just follow up on Mr. Quie's question, when the subcommittee held hearings on paperwork problems, one of the requests made was that NCES provide the committee with a chart on the amount of administrative time spent on paperwork locally and at the State level in various programs. In reworking some of NCES's data, which had to be reworked because they included some one-time studies which were aberrational in that they weren't paperwork burdens over time, this data shows that with the Title I program, which has an appropriation of 36.8 percent of the total elementary and secondary appropriation within the Office of Education, the average administrative time in filling out paperwork caused by the Office of Education is 6.9 percent of the number of manhours within the Office of Education. That is about 7 percent of the time that is spent adminstratively on a program which has 36.8 percent of the appropriation, whereas with the Community Schools Act, which has 0.1 percent of the appropriation in the Office of Education for elementary-secondary programs, in other words, one-tenth of one percent of the appropriation, the administrative time they told us which was spent was 4.9 percent of the total; so about five percent of the manhours, according to these data, was spent on a program which has one-tenth of one percent of

the appropriation which the Office of Education has for elementary and secondary education, whereas, barely two percent more of the time was spent for administering a program which has 40 percent almost of the appropriation for elementary and secondary education.

If these data are correct, there seems to be an enormous distortion in the amount of administrative time which is spent on these various programs in relationship to the appropriation for the programs.

Part of the reason given is that the States and local school districts have the primary administering responsibility for title I. However, since it is still a multibillion dollar program, it would seem that the Office of Education should at least be overseeing the administration of the States and if they are spending that amount of time, it certainly does not seem that the Office of Education is spending an adequate amount of time overseeing that responsibility; but even if you assume that argument that there are other agencies which are administering this program, the Title I program basically, and if you were to compare discretionary programs, you could compare the Women's Educational Equity Act, which has twice the appropriation of the Community Schools Act—it has two-tenths of one percent of the appropriation—and the amount of administrative time on paperwork spent is 1.8 percent of the number of manhours.

Now my question is, even setting aside the question of what role the Office of Education ought to have in overseeing the administration by States of State grant programs and just looking at discretionary grant programs, why is the Office of Education spending almost five percent of the total number of manhours administering a program which has one-tenth of one percent of the appropriation for elementary and secondary education, namely, the Community Schools Act, whereas the Women's Educational Equity Act, which has two-tenths of one percent of the appropriation, has only 1.8 percent of the administrative time being spent on it. Why does so much time have to be spent on administering the Community Schools Program? I must tell you that I am making the assumption that the local paperwork burden roughly reflects O.E.'s administrative time.

Dr. ELLIS. I think it is fair to say, Mr. Jennings, that citing the size of the appropriation alone is not a sufficient criterion to judge administrative cost. You also have to look at the purpose of the program. Some of the programs are formula driven and are relatively simple to administer because you are simply distributing the money.

In other cases you are initiating activity. You are holding technical training. You are engaged in discretionary grants which require the review process to be held.

Mr. JENNINGS. My question, Dr. Ellis, was setting aside that question of what were formula grant programs, which programs were administered basically by the States, and trying to look at two discretionary grant programs, neither of which have formulas in them, the Women's Educational Equity Act and the Community Schools Act, why is there this disproportion in the amount of manhours spent in administering these two programs?

Dr. ELLIS. Perhaps there is a community schools person who knows the justification that you cited. I am not personally acquainted with the data, so it is hard for me to speak to their implications.

Dr. TREMPER. I am not familiar with the particular statistics which you cited. I would say that our program has several functions mandated by the legislation that might account for additional administrative cost. We have a Secretary-appointed National Advisory Council.

Mr. JENNINGS. Pardon me. The Women's Educational Act also does.

Dr. TREMPER. We have also the clearing house. I am not familiar with whether or not the Women's Equity Program has a clearing house which requires the time of several staff people in terms of working with the clearing house to make sure that it does become in fact a national dissemination center for community education.

Mr. JENNINGS. Are there any other reasons?

Dr. TREMPER. Not that I can account at this time. I am not familiar with the Women's Equity Program, so that I cannot compare my program to it.

Mr. JENNINGS. On the part of the Democratic side, Dr. Ellis, I think the point we would like to make is just to reaffirm what Mr. Quie was trying to say, which is that it seems that there has to be a

very solid look taken at the amount of time spent in administering all these progrms, and even among programs which are discretionary grant programs there seems to be quite a discrepancy in the amount of time spent, the number of manhours, and then as you compare discretionary grant programs with formula grant or State administered programs, there seems to be even more of a discepancy, and so it naturally leads to the question of what is the Office of Education doing as its basic function? Is it more or less leaving to the States, with very minimal if any oversight, the administration of multibillion dollar programs and concentrating on programs which have little money in them whose grants average $20,000, $30,000, $40,000, and yet which seem to consume a great deal of time.

I think that that basic administrative question has to be asked. I hope that when you reappear before the committee on August 3 that you will be able to respond to these statistics and also tell the committee whether an analysis is being given to the basic management structure of the Office of Education.

Dr. ELLIS. Yes, I will be happy to do so.

Let me respond at present with this generalization. In assessing how much administrative cost you have, you must also look at the number of applications that come in. Some of the smaller programs are intensely competitive, say 1,000 applications are received, and you may be awarding 100 grants—those data are just approximate to illustrate the problem—whereas if you had 500 applications received and you were awarding 250 grants, there would be a different set of problems; so that most of these programs, the smaller programs, do distribute the smaller sums of money. Inevitably, that will cost more. It is much easier to have a low administrative cost when you are passing out fairly sizable grants than a lot of little grants, so I don't try to totally justify the lack of specificity in my response, but I don't think the differences are necessarily indicative that inefficiencies exist. But certainly your admonition that we ought to know what it is and we ought to know the reasons, is well taken, and we will so respond.

Mr. JENNINGS. I am sure the committee is going to follow up that on August 3. Congressman Pressler from South Dakota would like to ask some quetions.

Mr. PRESSLER. I have to get back over to another meeting. Thank you for letting me sort of cut in here.

Let me ask you, if a separate consumer's agency is established, would it not be appropriate to transfer consumers' education progrms to that agency?

Dr. WILSON. I am not sure. I think there are probably advantages and disadvantages to both places. The Consumer's Education Program is addressed to educating consumers not resolving problems. It is attempting to increase the capacity of varieties of agencies to deliver educational services better than they would have without the support of the program.

I am not sure that its location in an office of consumer advocacy, or whatever the correct title may be, would be the appropriate place for that kind of activity. I just don't know. I would hesitate to respond.

Mr. PRESSLER. You haven't got any plans or you haven't made any recommendations to move it or leave it at this point?

Dr. WILSON. My visceral approach would be to leave it in the Office of Education. That is where I would suggest the program belongs. I might also add that a strange situation might develop if this program were to be assigned to the proposed consumer agency. As I understand it, this new agency's budget, is to total roughly $15 million. If you assume the same level of funding in our particular program, approximately three million dollars annually, this small consumers education national effort would be approximately 20 percent of the new agency's total budget. That might well create problems within the agency itself.

Mr. PRESSLER. In the preparation of zero-based budget materials for OMB, where does the Commissioner place this program in comparison to the other 120 or so in OE?

Dr. WILSON. I really don't know. I was not privy to the final decision. Dr. Ellis could probably answer that one.

Dr. ELLIS. We do not have those data available at this time, Mr. Pressler. We are still processing those figures and, in fact, the Commissioner is meeting with the Secretary this morning, and I think it would be premature to announce those data until he has had a chance to clear it personally with the Secretary.

Mr. PRESSLER. Would you submit that later for the record when it comes?

Dr. ELLIS. Yes, sir we will be pleased to do so.

[This data is not available at this time, but will be furnished to the Subcommittee as soon as it becomes available.]

Mr. PRESSLER. One more quetion: Given the fact that there will always be more needs than dollars, when in the order of priorities does your program come vis-a-vis Title I, the education of the handicapped, and so forth?

Dr. ELLIS. I think I can speak to that in general. Title I and the handicapped education programs would receive a higher priority than the programs we are currently discussing, if I could use a generalization, but I do not think that necessarily implies the programs would not be continued in some form or funded at some level. But we believe that the Title I programs' access to the historically bypassed populations and access for the handicapped now must be given the top priority.

Mr. PRESSLER. That leads to a final question which is, if the separate categories in the Act were removed and the Commissioner was granted a lump sum of money, would there be any significant changes in spending under the act? There, again, that is hard for you to know?

Dr. ELLIS. Obviously, that is a speculative question, but I think there would be. Your next question will undoubtedly be, what changes, and I can't say, sir.

Currently, too little flexibility exists. It is obvious that new needs will emerge that were not foreseen by the Congress or by the Executive Branch. It is obvious that we must be in a position to respond to those needs, and currently the Commissioner's discretionary fund does not now permit that. The Act was intended to enable the Commissioner to advance certain new programs.

We are now in the third year and no new progrms have been advanced. We merely maintained what exists, minor modifications, of course, but no new programs. Therefore, the intent of the Act is not being met.

It would appear that some changes should exist, some changes should occur, but given the way in which the Act is now formulated with the seven line items and the formula for distributing the monies among them and then the Congress appropriating certain other funds within the so-called discretionary part, the Commissioner has not had a chance to indeed be able to select vital topics so that he would be able to make a difference. He has not had the opportunity to demonstrate that capacity, but I think it could be done and should be done.

Mr. PRESSLER. Thank you very much. I have no further questions.

Mr. JENNINGS. If I may go back to the Community Schools Act, Dr. Tremper, I didn't notice in any of your materials whether you had followed the legislative mandate in distributing the funds half to State educational agencies and half to local educational agencies.

Have you, in fact, made grants in those proportions?

Dr. TREMPER. Yes, the grants have been made in those proportions.

Mr. JENNINGS. Could you supply information for the record? You did give us a list of grantees by State, but there was no cumulative total?

Dr. TREMPER. Yes, I will.

Mr. JENNINGS. Could you do it both in terms of numbers of grantees and also in terms of dollar allocations?

Dr. TREMPER. Yes.

[Information requested follows:]

QUESTION: I didn't notice in any of your materials whether you had followed the legislative mandate in distributing the funds half between State educational agencies and half between local educational agencies.

Have you, in fact, made grants in those proportions?

Yes, the U.S. Office of Education has awarded one half of the funds to local education agencies and the other half to State education agencies as mandated by the legislation. In Fiscal Year 1976, $1.5 million was allocated to local education agencies and $1.5 million to State education agencies. The same allocation has been made with Fiscal Year 1977 funds.

Although the law does mandate the above-mentioned allocation of funds, it does not mandate the same number of grants for category. Listed below is the data for Fiscal Year 1976 and 1977.

1976: LEAs 48, SEAs 32.

1977: LEAs 48, SEAs 33.

Estimations as negotiations on Fiscal Year 1977 grants have not been completed.

Mr. JENNINGS. Also have you had any problems with administering the Act with the variable matching requirements for new projects, ongoing projects, other projects?

Dr. TREMPER. We have found on the part of the local educational agencies it has been difficult for them to provide the documentation on which to make the decision as to whether or not they are new, expanding or maintenance. We have had some problems with that.

Mr. JENNINGS. And who makes the judgment? Do you go beyond their application or do you take their application on its face?

Dr. TREMPER. We have to make the analysis in terms of the information provided, but we have found that a careful analysis,

which has taken a great deal of time, has yielded the kind of information to make that decision.

Mr. JENNINGS. Do you believe that those variable rates ought to be maintained?

Dr. TREMPER. Well, there is some question in terms of the maintenance category. There are some people who feel that the Federal effort should not be to maintain a program, rather, in terms of expanding or initiating new activiteis throughout the country.

Mr. JENNINGS. May I also ask you about your breakdown between rural and urban areas? You said that approximately 48 percent of your grantees were in rural areas?

Dr. TREMPER. Yes, in the LEA category, yes.

Mr. JENNINGS. Yes. Is the dollar allocation the same proportion?

Dr. TREMPER. I would have to go back to my records. Probably not in terms of dollar allocation.

Mr. JENNINGS. Could you please supply that for the record?

Dr. TREMPER. Yes, sir.

[Information requested follows:]

QUESTION: If 48% of your grantees are in rural areas, is the dollar allocation to these areas in the same percentage?

Yes, listed below are the figures describing the dollar amounts allocated to rural and urban areas.

Fiscal Year 1976: Rural $747,592, Urban $816,408.

Percentage of Funds: Rural 47.8%, Urban 52.2%.

Due to the volume of applications received and limited staff time, the Community Education Program is only able to provide the urban-rural breakdown information on funded proposals. It is not possible to retrieve this information on all of the applications submitted. A listing of applications received from each State for Fiscal Year 1976 is attached.

III. Final Statistics

Applicants

Number of Applications Received - 666

Number by:

	State	Category LEA	SEA	IHE	Funds Requested
Alabama	15	11	1	3	$ 875,897
Alaska	7	5	1	1	385,359
Arizona	19	16	1	2	871,264
Arkansas	8	6	1	1	286,850
California	49	37	1	11	3,554,213
Colorado	16	12	2	2	537,496
Connecticut	11	9	-	2	500,937
Delaware	3	3	-	-	120,670
District of Columbia	5	1	2	2	334,026
Florida	19	16	1	2	1,306,959
Georgia	11	8	-	3	798,752
Hawaii	--	-	-	-	--
Idaho	5	4	-	1	91,940
Illinois	15	8	2	5	831,651
Indiana	14	11	1	2	519,390
Iowa	7	6	1	-	270,679
Kansas	4	4	-	-	3,724,786
Kentucky	22	19	1	2	1,064,950
Louisiana	6	4	2	-	338,384
Maine	8	6	1	1	312,613
Maryland	4	3	1	-	197,203
Massachusetts	17	14	1	2	824,721
Michigan	39	33	1	5	1,874,998
Minnesota	9	6	1	2	589,478
Mississippi	4	4	-	-	282,976
Missouri	9	7	1	1	281,862
Montana	4	3	-	1	199,736
Nebraska	4	3	-	1	150,486
Nevada	3	2	1	-	137,714
New Hampshire	8	7	1	-	397,982

State		Category LEA	SEA	IHE	Funds Requested
New Jersey	28	25	1	2	$ 1,518,236
New Mexico	5	4	-	1	161,102
New York	55	50	1	4	4,803,901
North Carolina	11	9	1	1	445,352
North Dakota	2	1	1	-	70,630
Ohio	20	19	1	-	571,945
Oklahoma	14	12	-	2	430,558
Oregon	20	15	1	4	891,361
Pennsylvania	20	14	2	4	1,126,180
Rhode Island	4	2	2	-	137,068
South Carolina	9	8	1	-	302,212
South Dakota	4	4	-	-	122,285
Tennessee	12	7	1	4	574,586
Texas	44	36	1	7	2,423,722
Utah	12	10	1	1	695,977
Vermont	2	1	1	-	65,796
Virginia	13	10	1	2	568,223
Washington	12	10	1	1	491,417
West Virginia	11	11	-	-	390,317
Wisconsin	13	10	1	2	696,213
Wyoming	7	5	1	1	151,982
American Samoa	--	--	-	-	--
Guam	---	--	-	-	--
Puerto Rico	2	-	2	-	128,166
Trust Territory	--	--	-	-	--
Virgin Islands	1	--	1	-	100,000

Mr. JENNINGS. Could you also tell us why there are so many grantees from rural areas who have been approved? As you well know, I am sure, Chairman Perkins is very interested in rural education and the deprivation of rural areas, so I am sure he will be pleased to learn that this has occurred; and the Act does require you to have an equitable distribution between rural and urban areas, but are there other reasons?

For instance, is it partially due to the fact that it is more expensive to keep school buildings open in urban areas after school hours?

Dr. TREMPER. Well, our average grant size in the LEA category this past year was $34,000 and clearly it is more expensive to operate a community education program in urban environments for several reasons, one being the building, but the second one being in terms of higher salaries that are usually paid personally in urban environments as opposed to rural.

I would again be pleased to provide statistics relating to the number of proposals that we received from urban areas as opposed to the percentage that were funded, but my recollection is that there were fewer proposals received from urban local education agencies.

Mr. JENNINGS. What can a school district do with an average grant of $20,000 or $30,000?

Dr. TREMPER. Our priority as stated in the regulation is to provide the funds for the school system to hire leadership, a community education coordinator, to develop a community education program serving a particular neighborhood, so that that individual can go out and find other resources and the community can go out and conduct the needs assessment, and establish an advisory council.

We feel that in most communities there are many other resources from other agencies that can be utilized because of the nature of the program that the Federal dollars should not go to pay, for example, for adult basic education teachers when we know that those resources exist within other agencies, so it is basically the coordinating leadership cost and other support services, dissemination cost and so on.

Mr. JENNINGS. But according to your testimony, 83 percent of the types of servies offered were educational in these——

Dr. TREMPER. Yes, the activities that are offered in the community school once the school is opened and the coordinator is hired, are the types of resources. Our dollars are not being utilized for the specific services; rather, it is the leadership that can go out and find other resources to provide the services.

Mr. JENNINGS. Are most of these people full-time people, or are they people who are receiving an add-on salary?

Dr. TREMPER. Most of the people are full-time people where they have the time to go out and do the type of things I have been describing. It would be very difficult, for example, to be a full-time teacher or administrator and to do this part time.

Mr. JENNINGS. Dr. Wilson, I notice that 56 percent of your grantees were educational institutions and 44 percent were public and private nonprofit, and Mr. Quie was asking some questions concerning some of the reasons for that.

Is your distribution of funds in the same percentages as your distribution of grantees?

Dr. WILSON. No, there is no regulation or legislative mandate which says that money shall be distributed in certain percentages to education.

Mr. JENNINGS. I know that. What I want to know is, are your dollars given out in the same types of percentages or do 44 percent of the grantees which are public and nonprivate types have five percent of the money?

Dr. WILSON. I can get that figure for you exactly, but it is pretty much the distribution of the dollars follows the percentages. I would have to say roughly 40 percent of the money does indeed go to public and private nonprofit agencies this first year and 60 percent, or the balance would go to schools.

[Information requested follows:]

Provide a breakdown of projects approved by dollar amounts between education agencies and the nonprofit agencies.

OFFICE OF CONSUMERS' EDUCATION
FISCAL YEAR 1976

LIST OF GRANTEES

EDUCATIONAL AGENCIES

STATE	GRANTEE	AMOUNT
AL	The University of Alabama, University	$ 33,491
AK	University of Alaska, Fairbanks	73,500
AR	University of Arkansas, Little Rock	35,830
CA	Fremont-Newark Community College District, Fremont	25,254
	Poway Unified School District, Poway	24,694
	San Francisco State University	47,060
	University of San Francisco	92,906
	San Juan Unified School District, Carmichael	46,263
CO	North Colorado-Education Board of Cooperative Services, Longmont	28,102
FL	Florida Department of Education, Tallahassee	76,968
GA	Georgia State University, Atlanta	26,133
HI	Hawaii State Department of Education, Honolulu	49,719
IL	Southern Illinois University, Carbondale	26,563
	Southern Illinois University, Carbondale	65,183
IA	Kirkwood Community College, Cedar Rapids	31,592
KS	Kansas State University, Manhattan	26,660
MD	Catonsville Community College, Baltimore	39,297
MA	Lawrence Public Schools	28,670
	Merrimack Education Center, Chelmsford	60,445

MI	Eastern Michigan University, Ypsilanti	61,844
	University of Michigan, Ann Arbor	79,619
NY	Queens College Research Foundation, NY	130,081
	New York City Community College, Brooklyn	54,635
	Cornell University, Ithaca	65,258
NC	East Carolina University, Greenville	45,886
OH	Dayton Board of Education	106,261
	Springfield City Schools	11,940
	University of Toledo	55,043
OK	University of Oklahoma, Midwest City	54,000
OR	Northwest Regional Educational Lab, Portland	90,601
PA	Indiana University of Pennsylvania, IN	36,677
	Allegheny Intermediate Unit, Pittsburgh	52,910
TN	Christian Brothers College, Memphis	22,870
TX	Texas Technical University, Lubbock	41,239
UT	University of Utah, Salt Lake City	50,005
VA	Old Dominion University, Norfolk	52,402
	Virginia Polytechnic Institute & State University, Blacksburg	22,187
	Virginia Polytechnic Institute & State University, Blacksburg	10,982
	Virginia Polytechnic Institute & State University, Blacksburg	29,509
WV	West Virginia Department of Education, Charleston	52,695

OTHER PUBLIC AND PRIVATE NON-PROFIT AGENCIES

AL	Morgan Lawrence Community Action Committee, Inc., Decatur	10,367
AZ	Coconino County Legal Aid, Flagstaff	6,000
CA	City of Long Beach	30,846
	Mission Education Projects, Inc., San Francisco	18,850
CO	Coalition of Indian Controlled School Boards, Denver	44,268
	Metropolitan District Attorney's Consumer Office, Denver	16,565
DC	National Center for Law and The Deaf	21,600
	National Consumers League	70,388
	Paul H. Douglas Consumer Research Center	110,538
FL	Law Inc.,-Hillsborough County, Tampa	4,440
GA	Bridges-Cobb County, Inc., Marietta	57,241
KY	Blue Grass Community Action Agency, Lawrenceburg	50,000
ME	Task Force on Human Needs Consumers Affairs Program, Lewiston	23,460
MD	Baltimore Urban League, Baltimore	7,270
MA	Boston Indian Council, Inc., Jamaica Plain	48,360
MI	International Union, United Automobile Aerospace and Agriculture Implement Workers, Detroit	65,216
NJ	Project Link Educational Center, Inc., Newark	19,750
	Somerset County Office of Consumers Affairs, Somerville	35,516
	County of Ocean, Department of Consumers Affairs, Toms River	31,215

NM	Jicarilla Apache Tribe, Dulce	44,042
NY	National Commission on Resources for Youth, New York	78,782
OK	Cherokee Nation, Tahlequah	56,200
OR	Urban Indian Council, Inc., Portland	40,861
SD	South Dakota Council on Economics, Education, Vermillion	77,380
TX	Colonias Del Valle, Inc., San Juan	30,350
WA	Central Area Motivation Program, Seattle	35,112

Summary of Consumers' Education Grant Funds
By Agency Type

Education Agencies (40) Average grant $49,122	$1,964,974
Other Public and Private Non-Profit Agencies (26) Average grant $40,561	1,034,591
TOTAL Average grant $45,447	$2,999,591

Mr. JENNINGS. Why do you think that so many of the grantees and so much of the money ought to go to private and public nonprofit agencies?

Dr. WILSON. Because, as I understand it, it reflects the intent of the legislation. My sense is that when the legislation was drafted there was concern that consumer education services were not being distributed or were not sufficiently available, not just to the school population but also to the total population. So the result of the legislation has been that other agencies in nonschool settings have come forth and indicated that this is indeed the case.

Mr. JENNINGS. Following up on that, I notice that approximately a quarter of the participants in your grants are elderly and you seem to take great pride in some of the accomplishments of the elderly projects which you have funded.

Is there any duplication of effort between what you are doing for the elderly and what the Aging Administration within HEW is doing for the elderly or what is being done under other legislative authorities in HEW for the elderly?

Dr. WILSON. I suspect there is some. I do feel, however, that it is minimal since the focus of the consumer education projects is not on the individual elderly person themselves for the most part, the projects are concerned with how an agency which deals with the elderly can provide a more effective consumer educational service.

In other words, the number of elderly citizens that are dealt with in a particular project is not necessarily the measure of whether

that is an effective or ineffective project. It is whether or not the activities of the project will improve the capacity within that agency to do a better job subsequent to the end of the funding.

Mr. JENNINGS. Do you make any efforts to avoid duplication with other HEW-funded activities?

Dr. WILSON. We have tried. We are working with the Council on Aging. We have worked with our grantees themselves in the sense of making sure that they know of other sources of support. The office has also tried to inform those applicants who were not funded.

This past year when we sent out our letters of rejection to those who were not funded, we indicated other possible funding sources. The Council on Aging and various other programs were suggested hopefully to steer them in other directions where they might get some assistance.

Mr. JENNINGS. Thank you.

Dr. Ellis, if I may return just a minute to this administrative question, it is unusual that the Congress gives as much attention to all of these programs as it is giving this year, and there is a variety of reasons for that, and the absence of the congressmen shouldn't indicate any lack of interest. There is a Democratic Caucus which is going on right now, dealing with committee jurisdiction, and quite a few of the members are interested in what kind of jurisdiction their committees are going to have.

Dr. ELLIS. It is understandable.

Mr. JENNINGS. And the Republicans also have a caucus going on, so that is why the members are absent.

But this question of administrative time is a crucial question in the Office of Education because if these statistics are accurate in showing a correlation between local paperwork and Federal adminstrative time, you are spending seven percent of your administrative manhours on administering a program which has over $2 billion in it, whereas you are spending about five percent of your time on a program which has one-tenth of one percent of the appropriation in it.

It seems that there is a distortion in the amount of emphasis given to administering these programs and also in the amount of paperwork caused locally. Now, there may be a variety of reasons. Maybe there are so many applications that you have to weed out the applications. Maybe there are basic responsibilities given to other administrative agencies such as State or local school districts, and yet the basic statistics seem to show that the Office of Education is not able for one reason or another, and it could be legislative, it could be budgetary from the Appropriations Committee, or it could be administrative practices; but nonetheless it seems that the Office of Education is not living up to the rhetoric of putting the primary emphasis on the disadvantaged and the handicapped, and other populations who you just said were the ones who are excluded and therefore had to be of high priority.

It would seem vitally important when you come back before the committee talking about administrative structures on August 3 that you try to come back to the members and tell them whether there are going to be any efforts made to reflect the number of adminis-

trative hours which are spent on what you say and what the Congress says are the primary emphases, and if there is a distortion and it is due to the law, I think that the members would like to know.

If it is due to the appropriation process, I think they would like to know that. If they have caused the problem, I think this year they definitely want to know and they would like to get it on the record. Therefore, I am more than pleased to share these statistics with you, but I hope that you keep your focus on that and don't become distracted by other reasons.

There are always a lot of other reasons to address little questions, but this is a very basic question and I think that this year the committee would like to talk about it very thoroughly with the Office of Education.

My only other question has to do with the Special Projects Act. You are absolutely right that the Special Projects Act theory did not work but the responsibility lies at least partially with the Office of Education and the Administration in that they never requested the appropriation which would have adequately funded the Commissioner's half of the disrcetionary money and therefore the theory never did work out in fact.

Part of the blame is due to the structure of the Act. Part of the blame is due to the Appropriations Committee, but part of the blame is also due to the Administration in not requesting the appropriation for the Commissioner's discretionary money and in not following the theory of that law which was that it would be dollar for dollar, one dollar for seven mandated programs and one dollar for discretionary money.

So your testimony is accurate; but I am afraid it is only part of the truth, and the other part is reflected in your appendix which shows the budgetary requests from the Administration for the Special Projects Act. That Act was not from a House bill; it was from a Senate bill; but the reasons behind it were two, basically: One was to try to find some mechanism for controlling what seems to be a constant proliferation of categorical programs so that whenever an idea comes up somebody creates a program and it is bipartisan, it is bicameral. So that everybody thinks that the way to deal with the problem is to create a program, and this was a theory that if there were one act in which you could put new ideas for a period of time and then see whether, after funding them for a period of time, they are worth much, you could continue them.

If they are not, you could phase them out. Of course, the most difficult thing to do in Washington is phase anything out.

Therefore, this year is a crucial year to see whether the Administration and the Congress are going to be able to say, in fact, that some of these things ought to be phased out or some of these things ought to be done away with and other things ought to go in. So that is another thing to look at when you are reviewing the Special Projects Act.

But the other concern was that under broader legislative authority which the Administration now is starting to work itself back to ask for in order to fund things more broadly, that when that authority was given to the Administration, especially the last 8

years, the Administration was funding things like Project Renewal and they were funding things like the Emergency School Aid programs through legislative authorities which were vaguely legislative authorities and vaguely not legislative authorities to do those things, and the authorizing committees in both the Senate and the House became very concerned that if there were going to be programs, that they ought to be authorized in law outright and that there ought to be regulations for them and that everybody ought to know what the rules were; and when there were broad discretionary authorities, Commissioner Marland and some other people would create programs out of full cloth, they wouldn't have regulations for some of these programs; so nobody would know what the rules were when you were applying for the grants, and there was considered opinion, especially by Congressman Brademas and Congressman Bill Ford, and some other people, that there was just too much discretionary authority and all the rules ought to be up front.

Possibly in the process there has been an over-reaction there also, but that, too, was part of the theory of the Special Projects Act, that if there is going to be a program it ought to be on the books, and there ought to be the rules there so when you are reviewing this Act—I know I have talked too long and I am getting a note from my colleague telling me that—but I wanted you to understand, somebody just coming in new, that a lot of these things are rooted in many years of legislative tug back and forth, not only between the Administration and the Congress but also between the Senate and the House and also between the authorizing committees and the appropriating committees, and it is not a simple thing where somebody can say this is the best way.

It is always a complex range of issues which enters into it and trying to find the best way to set legislative priorities is very difficult.

Dr. ELLIS. I appreciate your comments and I acknowledge that it is a very complex topic. I don't begin to pretend to understand all the complexities. I know some of them.

In my testimony I in no way was attempting to blame anyone, but rather to describe some of the problems that exist. Certainly the Admninistrative Branch must take whatever share of the responsibility exists for failing to ask for sufficient funds or for not responding in a way that Congress felt appropriate. I was attempting to point out though that we probably have over-reacted.

At one point in time I understand the Commissioner had available maybe as much as $125 million that would fall within the categories that you described as being almost wholly discretionary. That is a lot of money and probably regulations were not in place. It was difficult for people to know all the rules and Congress, understandably, moved into that arena to try to get it more precise, more manageable so that everyone would have the same set of rules to be operating under.

Currently, however, the Commissioner has virtually no discretionary money, so going in from that amount to virtually none probably was an over-reaction and the statistical distribution that we now have is not just one for one. That is not the only problem, although it becomes a problems sometimes, but when you move the

one above the line you have to distribute it among fixed percentages and that adds an additional complication and it appears to me that legislation always should provide some flexibility to be able for the Congress and the Administration to handle problems without trying to be too ingenious about how to get around the provisions.

But your basic point about administration is well taken. I will study it and I hope I can have access to your data and when I come back to the Congress I will be pleased to try to speak to that more definitively.

Mr. JENNINGS. Thank you.

Mr. Cross?

Mr. CROSS. A couple of questions on the educational television section.

The reduction in funds going to Sesame Street and the Electric Company, or more generally children's television workshop, has that been something on which there is some agreement with CTW, or is it an issue that is going to be back before us again and their feeling that they are getting an inadequate level of support?

Dr. ELLIS. Mr. Cross, that has agreement at the present time and that was the way they wished to proceed. I would point out, however—I'm getting into the future—we had some conversations with the Children's Television Association about a new series that they will want for the future. They are not yet ready to propose that. They have been just talking initially with us about what should come next, what comes after Sesame Street and Electric Company, what should be the next new initiative.

This group is an oustanding operation. The two programs cited have had unbelievable success and in a way it would be unthinkable that sometime in the future there wouldn't be something else, what it is they are still wrestling with.

So I think we are all right now but they would not be satisfied, I would suggest, for the indefinite future to be maintained at that level.

Mr. CROSS. After the summer we have had, maybe the next show should be The Waterworks.

With respect to the music series which you mentioned was either being funded or had been, why wasn't that done by the National Endowments?

Dr. ELLIS. I don't know, but I have someone here that may be able to respond.

We have Dr. Mal Davis.

Mal, do you know?

STATEMENT OF DR. MALCOM DAVIS, OFFICE OF EDUCATION

Dr. DAVIS. There was some interest on the part of former Secretary Weinberger to make some financial aid available to the National Symphony Orchestra and he indicated the Office of Education might be able to be helpful.

Over a long period of time of discussions with the National Symphony Orchestra and their concern for children and their interest in music, they concurred that they would be willing to take those funds that Mr. Weinberger wanted to make available and to turn them into a television presentation.

Consequently, WETA, Channel 26, in Washington, was asked to participate in the project, and because of a request from the former Secretary for aid to the National Symphony Orchestra for an educational effort and some creative thinking, I think, on the part of some people in the Office of Education, we are able to indicate at this time that a television show dealing with music and music appreciation has been developed in concert with the National Symphony Orchestra and WETA, Channel 26, for ten television shows which will be going on the air in the fall.

It was not funded under the prescribed route that is called for in the regulations on the administering of grants and contracts.

Mr. CROSS. It was not, you said?

Dr. DAVIS. No, it was not.

Mr. CROSS. How is it handled then, if it was not? Some other authority was used?

Dr. DAVIS. As I indicated, in this case the regulations were bypassed.

Mr. CROSS. How much money was involved?

Dr. DAVIS. All told on the part of the U.S. Office of Education, it was $450,000 and to date $300,000 from Allied Chemical Corporation.

Mr. CROSS. Do you know if the National Endowment was ever approached to fund that?

Dr. DAVIS. No, I do not know. I was not a party to that situation, coming to the Division of Education and Technology only two years ago.

Mr. CROSS. I wonder if we might have from the General Counsel's Office a memorandum on the legal authority under which that was funded and an explanation of it?

Dr. DAVIS. Yes.

[Information requested follows:]

The National Endowment on the Arts and Humanities was not asked to fund the MUSIC project, since they were already supporters of the National Symphony Orchestra. The MUSIC project was seen as an educational pursuit and its funding came about in the manner described below.

The Office of General Counsel, DHEW has been requested to provide the Director of the Division of Educational Technology with an opinion as to the propriety of this process.

In the summer of 1974, Secretary Weinberger indicated to the Commissioner of Education that he wanted the National Symphony Orchestra to receive $350,000 for tapes of symphonic music and cassettes.

In August 1974, WETA-TV submitted an unsolicited proposal in the form of a concept paper. After receiving encouragement from the Commissioner's Special Assistant for Arts and Humanities and from the Secretary's Office, the concept paper was expanded into a preliminary proposal and submitted to USOE in December 1974. It was referred to the Division of Technology and Environmental Education for review by the Educational Television Programming staff.

The ETV Programming staff determined that, while the proposal was sound in concept, much more attention was necessary to the design phase in order to develop an effective curriculum foundation on which the individual television programs would be built.

An agreement was reached with the proposers that any funds made available from USOE would be used for design (and the post-production utilization activities) and the WETA-TV would attempt to secure adequate funds from an outside source to underwrite the costs of program production. Based upon this "matching" concept, the ETV program staff agreed to accept the proposal and to seek approval for non-competitive procurement from the approporiate authorities.

In May 1975, the Sole Source Board decided that OE could commit the $300,000 of Cooperative Research Act funds to the project on condition that an equal or greater amount be obtained from a private source for Phase II, Production. Half of the $300,000 of Cooperative Research Act funds were reserved for utilization (Phase III) and OE would own the products of Phase I, Curriculum Development, if a co-finder was not found.

In July 1975, a cost-sharing contract was signed by OE and WETA-TV for $300,000 of Cooperative Research Act funds.

In April 1976, the products of Phase I - the curriculum design, production design, and utilization design were delivered to OE. The contract was extended to give WETA-TV additional time to local private funding. In September 1976, Allied Chemical granted $300,000 to WETA-TV for Phase II, production. OE added $151,556 to the contract from the Commissionaer's discretionary portion of Special Projects Act funds in order to complete production.

In July 1977, eleven half-hour MUSIC shows were completed and a 64-page MUSIC guide published. Allied Chemical has added another $300,000 to their grant for promotion of the finished products.

The MUSIC series was originally funded under the Cooperative Research Act at the discretion of the Commissioner. The subsequent award to WETA-TV was made under the Special Projects Act in order to complete USOE commitment.

Dr. DAVIS. And the series of events that will lead to it?

Mr. CROSS Yes. Thank you.

That is all I had on the television.

With respect to community schools, I think it is well known that has been going on for decades and the Mott Foundation has poured many more millions into the program than the Office of Education has or will in the near future.

Is there any reason to believe that the movement wouldn't continue if this separate categorical program was eliminated, and what has your program done that the Mott Foundation didn't?

Dr. TREMPER. What the Mott Foundation has not done?

Mr. CROSS. Yes.

Dr. TREMPER. You are correct, the program has been going on for a number of years and certainly we believe that the emphasis in terms of funding and responsibility has to be a local one eventually because, after all, the program is built upon involving the community and using existing resources in local communities, so that the ultimate responsibility has to lie with the local agency; and you are also correct that the Mott Foundation has put in much more money, in fact does annually, than we have to allocate in grants.

In terms of what we have done that the Mott Foundation has not been able to do, I think we sit in a unique position to be able to see what is going on nationally and therefore, since we are able to see the total picture that involves both the public and the private sectors, I think we are in a position to be able to fund some approaches that the Foundtion has not been able to.

Mr. CROSS. Can you identify those for us, and if not today, for the hearing record, so we know precisely what you are doing that Mott is not, or has not?

Dr. TREMPER. Yes, I can.

[Information requested follows:]

The Mott Foundation has been involved in promoting community education for a number of years and has provided more financial resources for community education than the Federal Government.

QUESTION: What is the Federal Government doing in community education that the Mott Foundation has not done?

The Charles Stewart Mott Foundation has been providing leadership and financial assistance for community education development since the 1930's. The majority of

the development today has been due to the leadership of the Foundation.

Since the inception of the Community Schools Act, the Office of Education, Community Education staff has communicated frequently with Foundation officials to insure more cooperative efforts between the public and private sectors. Mr Harding Mott, Chairman of the Board of Trustees of the Mott Foundation, has been a member of the HEW Community Education Advisory Council since its establishment. His active involvement in the deliberations of the Council has been instrumental in helping to achieve the above-mentioned goal of a closer working relationship between the public and private sectors.

The emphasis of the Federal Community Education Program has been in developing demonstration projects that have the potential for replicability in other communities throughout the nation. The Community Schools Act allows for the direct funding of local education agencies for development of model community education programs. The Foundation, on the other hand, has worked more indirectly with local education agencies through universities and State education agencies and placed considerable emphasis on leadership development. The Foundation's stress has been on promoting the development of community education throughout the country with the ultimate goal of giving every school the opportunity to become a community school.

The Community Schools Act has placed more emphasis on the involvement of other organizations and agencies by mandating their involvement in the development and operation of the program. Additionally, if certain requirements are met, such groups as community colleges and park and recreation departments have been able to qualify as local education agencies. The Federal Community Education Program has placed more emphasis on the completion of a formal needs assessment prior to initiating the community education program. These Federal requirements have helped broaden the Foundation's persepctives, according to Mott Foundation officials' reports.

The Federal Community Education Program has also been able to initiate cooperative agreements at the Federal level that have the potential for effecting similar arrangements at the State and local level. The Statement of Understanding between the Office of Education and the Administration on Aging is but one example of cooperative efforts that can be initiated at the Federal level. And lastly, the Federal Community Education Clearinghouse is an effort that has not been undertaken by the Foundation.

Dr. TREMPER. Also, we have established a clearing house, which is a national dissemination clearing house, for information which links the information needs of people in the field with existing resources. That is certainly an effort that others have not been able to undertake.

Also, in the area of evaluation, the Office of Education has just let a major contract for the evaluation of the Federal Community Education program and this will represent, really the first time in the history of the movement, that there has been a substantive, in-depth evaluation of the impact that the movement can have.

I think also in addition to what I have said that we are in the position through the good offices of the Office of Education to disseminate information on successful practices throughout the country and we have a vehicle that the private sector does not have.

Mr. CROSS. What is the budget of the clearinghouse?

Dr. TREMPER. The appropriation this year, the amount received—I don't have the exact dollars—was about $163,000.

Mr. CROSS. The evaluation which you mentioned, you have just let the contract?

Dr. TREMPER. Yes.

Mr. CROSS. To whom?

Dr. TREMPER. To a company in Washington, Development Associates.

Mr. CROSS. For how much; do you know?

Dr. TREMPER. I don't have the exact dollar amount. I will enter that in the record.

Mr. CROSS. Will you supply it for the record?

Dr. TREMPER. Yes.

Mr. CROSS. Both Mr. Jennings and I are struck by the fact that this evaluation contract has been let now with the results probably not going to be available until between one and two years after the Act expires.

Dr. TREMPER. No; the final report will be in in February and there will be a preliminary report this fall.

Mr. CROSS. You will have?

Dr. TREMPER. Yes.

Mr. CROSS. Will you submit that for the record as well, the schedule of the report and the cost that is involved?

Dr. TREMPER. Yes.

[Information requested follows:]

QUESTION: Both Mr. Jennings and I are struck by the fact that this evaluation contract has been let now with the results probably not going to be available until between one and two years after the Act expires.

Although the community Schools Act was passed in 1974, Fiscal Year 1976 was the first year the program received funding. Therefore, it was not possible to begin the evaluation process before this time.

QUESTION: Who was awarded the contract and how much was the award?

The contract was awarded to Development Associates on May 16, 1977. The total award was $168,733.

QUESTION: When is the evaluation expected to be completed?

An interim report is due on November 10, 1977 and the final report will be submitted on March 30, 1978.

QUESTION: What is the purpose of the evaluation study?

The purpose of this study is to comply with Section 405 of Public Law 93-380 (Community Schools Act), which requires a complete and thorough evaluation of the Federal Community Education Program.

The intent of this study is to describe and analyze the structure and operation of projects funded under the Federal program and to focus on impact of the projects at the local and State levels.

Dr. ELLIS. Mr. Cross, if I might add to the comment on the Mott Foundation, I think you can best be answered by the data that will be provided.

Essentially what the Federal program does is stimulate a lot of activity across the country and we, I think, will show an impressive set of statistics that indicate that a lot of new programs have begun. The dilemma with mentioning Mott, however, is that most school administrators who visit Flint come away with the bottom line of saying, "If we only had a Mott Foundation we could do that, too." They have an outstanding program. I don't think we can look for replication of the Flint program across the country. We just don't have that much money.

We are going to have to find a different way to do it, and I think the Mott people recognize this fact. They have been in this business for some 30 years and wonder why it dosn't catch on; and the reason is it takes too much money. We can stimulate activity across the country and I think that is the major purpose.

There has been a resurgence, since this program was initiated, in interest in this topic and a resurgence in the number of schools that are moving in that direction, so I think we can point to some impressive data that show we are stimulating activity, but support-

ing it at a $3 million level, you can't begin to hope that you are going to support anything of the magnitude that this requires for $3 million.

Mr. CROSS. Thank you.

In school districts which are engaged in the desegregation activites, do you consider "the community" to be the community surrounding the school or the community from which the school draws its population?

Dr. TREMPER. In terms of our program, the applicant has the option of defining the community. It can be the community surrounding the school, the neighborhood, or it can be a larger community than that.

Mr. CROSS. With respect to both your program and Dr. Wilson's, are the decisions on funding made by office staff, or do you have outside readers?

Dr. TREMPER. We use a number of outside experts in the field of community education and related fields. This year we used a total of 55 individuals who came to Washington and reviewed proposals. After the panel of readers review each proposal and has an opportunity to discuss them with each other, the scores are added, and a rank order is developed. Certainly we as a staff do have input in the selection of proposals to be funded.

If we feel that a particular proposal clearly does not follow the intent then we do not fund the application. There is also a legal review that is conducted to make sure it is applicable what is being proposed, but certainly the input from outside readers is very important.

Mr. CROSS. Dr. Wilson, I take it that situation is similar in your shop?

Dr. WILSON. Essentially the same.

Mr. CROSS. I believe that both of you have advisory councils. You do not have one?

Dr. WILSON. No.

Mr. CROSS. You have one for community schools, which is Secretarial appointed?

Dr. TREMPER. Yes.

Mr. CROSS. Can you submit a list of the membership of that council and the budget of that council?

Dr. TREMPER. Yes.

Mr. CROSS. And the budget broken down into categories of staff, travel and other factors, that sort of thing?

[Information requested follows:]

QUESTION: Can you submit a list of the membership of that Council and the budget of that Council?

Attached is a listing of the current members of the Community Education Advisory Council. The budget allocation for the Community Education Advisory Council for Fiscal Year 1977 was $150,000.00.

QUESTION: And the budget broken down into categories of staff, travel and other factors, that sort of thing?

Category	Amount
Consultants	$11,000
Benefits	640
Travel	24,170
Trans. of Things	152
Other Rentals	758
Printing	12,080
Central Payroll	200
Contracts	100,000*
Supplies	400
Equipment	600
Total	$150,000

*The Community Schools Act mandates that the Community Education Advisory Council shall present to Congress a complete and thorough evaluation of the programs and operation for each Fiscal Year.

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P.O. Box 53
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Essex, Martin W.
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Mott, Charles Stewart Harding
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Walker, Joanne C.
Chairperson, Dothan Board of Education
2506 Stonebridge Road
Dothan, Alabama 36301

Mr. CROSS. Finally, there are two other questions: First, Dr. Wilson, have you had an evaluation of your program?

Dr. WILSON. No, we have not. That is a difficulty we have emanating from the broad legislative mandate. We are now underway designing how we would do this. The difficulty in evaluating the total program is that the disparate nature of the projects makes their findings difficult to aggregate. So our program evaluation process is really project by project with an attempt to aggregate subsequent to that.

Mr. CROSS. I know specifically in the television area that the National Institute of Education is funding some activities; I am not sure whether they are funding anything related to consumers or community education. However, what coordination exists between NIE and OE in any of these areas, but specifically with respect to television programming?

Dr. ELLIS. Richard Hays, the Associate Commissioner, Office of Library, will respond to that.

STATEMENT OF RICHARD HAYS, ASSOCIATE COMMISSIONER OF EDUCATION (OFFICE OF LIBRARY)

Mr. HAYS. Mr. Cross, there is no formal mechanism; however, there is certainly a network among all of us in the Educational Division, which includes, of course, NIE, to discuss areas that we are going to and how they are going to be funded.

In addition, we share our resources in terms of evaluating projects and proposals to make sure that we keep any duplication to a minimum and to promote coordination as much as possible.

Mr. CROSS. One of the programs Dr. Ellis mentioned was on parenting. It is a terrible term, but that concept. That includes—I think Dr. Ellis was suggesting—getting some health information, diet, health to the child, and that sort of thing. Do you work with the health agencies in HEW in preparing the content material for that, and in working out what those programs will cover?

Mr. HAYS. In preparation of the content material, of course, this is done through the RFP process, and we have a very engaging and, I think, a very inviting way of going about it. It is a tripartite group that has put themselves together to develop what is called a parent pairing service, or better relates to the education of parents, and this includes the University of Maryland Child Development Unit, the Applied Management Sciences Office, and the Northern Virginia Educational Television Unit.

They have an advisory council which includes a wide range of people in all walks of the profession as well as clientele and types of population we have in the United States, and they have a charter to engage in the evaluation of dealing with the subject matter and touching bases with all sources, including health people.

Mr. CROSS. Thank you.

One last thing: I noted in both Community Schools and Consumers Education, unless I read the statistics wrong, there has been an absolute decline of some size in the number of applications between 1976 and 1977.

To what do you attribute that decline?

Dr. WILSON. I think I can account for part of the decline from 839 to 676 applications.

One group notable by its absence is the legal aid societies. For some reason in the first year we had 63 of that particular group applying. This year we only had one or two, so that accounts for about 60 of the 160. I suspect the balance was due to the fact that as in any new program, no one anticipated the intense competition that occurred and subsequently prospective applicants became discouraged.

Mr. CROSS. Dr. Tremper?

Dr. TREMPER. The drop in applications in our program has been in the local education agency category, and I would suspect it is for the same reasons that Dr. Wilson outlined, except I would also say in our program it is necessary for the applicant in the LEA category to have done a needs assessment and other specific things before making application.

It takes a lot of work to prepare an application, so I suspect that as well as the reasons that Dr. Wilson expressed.

Mr. CROSS. I might say, parenthetically, seeing the size of this document, how much information an applicant must go through and how much he must submit in applying for the program.

Dr. TREMPER. Well, certain provisions in the application package, are intended to help the applicant.

We included the general provisions, but I am not sure everyone saw that information as being useful.

Mr. CROSS. Our learned counsel on the left has a question.

Mr. JENNINGS. I would just like to thank you all and apologize again for the absence of the members. The Chairman has a very ambitious oversight schedule this year, and yet when you have a caucus and when the House goes into session at 10 o'clock in the morning, it is very difficult for the Members to be here.

I also hope you don't misunderstand the questions which were asked about some of these programs. These programs are reviewed so infrequently by the authorizing committees that it is important that we just get all the facts out in the record and all the criticisms, all the concerns expressed, and I can assure you that there is broad support for a number of these programs and I can certainly assure you as far as I know on the Democatic side the members have reached no conclusions at all about whether to continue or terminate any of these programs; but I do think they want to ask a lot of basic questions this year and get all the facts in the record.

I thank you for all your testimony.

Dr. ELLIS. Thank you.

Mr. JENNINGS. And the committee is recessed until 9:30 tomorrow morning.

[Whereupon, at 10:25 p.m., the subcommittee was adjourned, to reconvene at 9:30 a.m. on Thursday, July 21, 1977.]

[Material submitted for inclusion in the record follows:]

SIDNEY MARGOLIUS
74 DAVIS ROAD
PORT WASHINGTON, N. Y. 11050
516 - PO 7-4607

July 19, 1977

The Honorable Carl D. Perkins
Chairman, Subcommittee on Elementary,
Secondary and Vocational Education
B-346C Rayburn House Office Bldg.
Washington, D.C. 20515

Dear Mr. Perkins:

May I ask that my support for the consumer education projects sponsored by the Office of Consumer Education be entered into the record of your subcommittee's deliberations on continuance of this program?

I have been a consumer writer and researcher for over 35 years; virtually all my working life. I write a syndicated column published by some 60 daily papers and another published in 75 trade union, consumer co-op and credit union publications. I have been a witness through these years to the many wastes and sometimes even financial tragedies suffered by consumers because of lack of knowledge.

From this intensive experience with consumer problems and needs, I think the consumer education projects have shown themselves to be a remarkably useful and economical program fulfilling a genuine public need.

These projects provide direct public service. One of their most helpful features is the diversity of their audiences, and of the special needs to which they are responding. These special consumer information and assistance needs include those of deaf and other handicapped people, senior citizens, Spanish-speaking people, schools on Indian reservations, low-income families, and others being helped to handle their consumer problems, as well as broad groups of secondary school students.

As well as direct help, these information clinics and service activities have a pyramidal effect in providing materials and methods for other community groups and schools.

Especially noteworthy is the practical nature of this program with its stress on such realistic areas as legal grievance, group purchasing, credit management, etc.

{continued}

The federal government spends hundreds of millions a year in various consumer protection activities. Many of these purport to be educational but actually are so generalized and superficial as to never really reach the real public. Thus it is additionally ironic that this relatively inexpensive program which does seek out practical needs, and costs just $3 million, is in question.

I hope your committee will give favorable consideration to continuing this highly useful service program with its low cost.

Sincerely,

Sidney Margolius

Sidney Margolius

SM:jh

FOUNDED 1899
NATIONAL CONSUMERS LEAGUE
1028 CONNECTICUT AVE.•SUITE 522•WASHINGTON, D.C. 20036•202 797-7600•SANDRA L. WILLETT, Executive Director

July 19, 1977

HAND DELIVERED

Dear Member of Congress:

You will soon be conducting oversight hearings on a small, but crucial and productive, program operated by the U.S. Office of Education. It is the Consumers' Education Program, part of the Special Projects Act of ESEA (Section 811, P.L. 93-380). The National Consumers League, founded in 1899 to protect and educate the consumer, urges you to study the effectiveness of the Consumers' Education Program and to reauthorize it at an adequate level of funding.

Congress is to be commended for its foresight. In 1972, "finding that there does not exist adequate resources for educating and informing consumers about their role in the marketplace," Congress authorized $80 million for a three-year program to "bring consumer education to the public" through community as well as school-based programs. In FY 1976, the Administration finally allocated $3.1 million to support consumers education for each year for FY 1976-78. The Consumers' Education Program, now facing reauthorization, will be discontinued unless Congress again exerts its leadership and responds to the public's need, as it did in 1972.

Inflation, unemployment, energy shortages, and unscrupulous marketplace practices weaken today's economy and threaten future consumer well-being. Consumer education can prevent erosion of the consumer's purchasing power and promote judicious use of scarce resources. However, our elementary and secondary school systems, our vocational training programs, our adult education classes and our community services simply cannot meet the demands of our youth and adults for preventive and comprehensive consumer education. As a result, the American consumer is placed in a needlessly vulnerable position.

- The Sentry Insurance Study (May 1977), conducted by Louis Harris, indicates that 74 percent of the genreal public believes that people are "not very well prepared" or "not at all prepared" as consumers when they leave high school.

- A four-year study conducted by the University of Texas shows that 62 percent of the U.S. adult population is less than proficient when it comes to being able to function adequately in today's economy.

- One out of every five American households claims at least one member of the family was cheated or deceived in regard to at least one product or service during approximately the last year.

MARY GARDINER JONES, President DAVID H. SCULL, Treasurer VIRGINIA T. KLUTTZ, Recording Secretary
Board of Directors ROBERT R. NATHAN, Chairman ELEANOR M. HADLEY, Vice Chairman SARAH H. NEWMAN, Vice Chairman
ESTHER PETERSON, Vice Chairman

Page two

The public's demand for consumer education is further documented by two statistics:

- In its first year (FY-1976) OE's Consumers' Education Program received 839 proposals with requests for grants totaling $75 million. Of these, only 66 projects could be funded--less than 8 percent of the total.

- An overwhelming 92 percent of Americans believes that consumer education should be compulsory for high school students, according to the Sentry/Harris poll.

The National Consumers League, the nation's oldest consumer organization, is attempting to respond to consumers' needs for relevant consumer education. NCL is conducting an innovative consumer education program entitled "The Assertive Consumer." This program educates local consumer leaders, including women and the low-income, about their rights and responsibilities granted by new Federal credit and warranty legislation. NCL's program also teaches consumers how to assert their rights and, in so doing, to enforce the Federal legislation. NCL's "Assertive Consumer" has trained over 60 local citizens. The Congressional Record carried a press review of this unique program which is enclosed for your information. Thanks to a small grant from OE's Consumers' Education Program, NCL's "Assertive Consumer" will expand during a second year to serve the Hispanic, Native American and rural consumer.

To succeed in meeting the public's demand for consumer education, the U.S. Office of Education must play a more aggressive role. The National Consumers League looks to Congress to stimulate a position of leadership within OE. Specifically, we urge the Congress to:

1. Reauthorize Consumers' Education (CFDA 13.564) for a minimum of three additional years.

2. Authorize a minimum of $15 million per fiscal year.

3. Continue the discretionary status of the Consumers' Education Program.

4. Separate the Consumers Education Program from Special Projects and return Consumers Education to the high-level, distinctive position Congress mandated for it in the 1972 legislation (P.L. 92-318)

5. Request the Office of Education to submit a report annually on the progress it is making in bringing consumers' education to the public.

An educated consumer is the cornerstone both of the American enterprise system and of responsive government. Consumer education has been proven as one of the most effective channels for improving the marketplace, for enforcing laws and for increasing effective consumer representation in government. The National Consumers League looks to Congress for its leadership in meeting the public's crucial need for innovative consumer education.

Sincerely yours,

Sandra L. Willett

Sandra L. Willett
Executive Director

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CONSUMERS
LEAGUE
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CONSUMER EDUCATION IMPLICATIONS FOR PUBLIC POLICY
AND RECOMMENDATIONS FOR FEDERAL ACTION

Consumer education enables the market to work more efficiently and effectively. Buyers and sellers are better matched when both come to the marketplace with accurate information and acknowledged rights and responsibilities. Without basic information and competence, consumers will need more intervention in the workings of the market.

Consumer education can make the difference between individual ignorance and effective use of personal resources; between marketplace exploitation and fair competition; between lost opportunity, wasted dollars and inhibited social progress -- between these ills and healthy self development, conservation, equity, and efficient and responsive government. Consumer education is a preventive mechanism, and as such as cyclical. It teaches the art of individual questioning. It encourages responsible consumer behavior. It stimulates scrutiny and debate over purchases, industry decisions and public policy. It equips the individual to understand and use, and thereby enforce, the laws of the land. Ultimately, it demands responsive action from the business, social and policital structures we have developed to serve the individual consumer in our complex mixed economy.

Despite the recent growth of consumer education in the community as well as the classroom, in the factories as well as the board rooms, the American consumer continues to be ignorant, wasteful and vulnerable to marketplace malpractices. In one state only 40 percent of the high school students who are required for graduation to take a consumer education course demonstrated consumer literacy. A recent study of adult competencies indicates that 62 percent of the U.S. adult population -- approximately 73.5 million people -- is less-than-proficient when it comes to being able to function adequately in today's economy. One out of every five households in this country says at least one member of the family has been cheated or deceived in regard to at least one product or service during approximately the last year. Further proof of economic inefficiencies lies in the recent estimates of the high price consumers pay for anticompetitive Federal regulations which result in unnecessary costs to consumers, estimated to be between $16 and $24.2 billion per year.

Consumer education as a cyclical preventive mechanism has particular implications for public policy, governmental decisionmaking and the delivery of services by government. Inclusion, rather than exculsion, fosters informed responsible consumer action, and a more open accountable and responsive government. Recent attempts to involve consumers have been successful; for example, the consumer advisory group to the Food and Drug Administration, the "Consumer Register," and the representative processed employed in designing the State portion of the gasoline rationing plan provided effective consumer opinion in government

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decisions. Other developments, such as the Carter Administration's interest in hearing from the public, the "sunshine" legislation, paid consumer participation in government rulemaking and standard setting, and legislation supporting consumer membership on state licensing boards, suggest consumer involvement in government will increase.

Although educated and effective consumer representation, demanding a more accountable and responsive government, may be on the increase, the road ahead is long and the obstacles are serious. Government policy, resources and procedures must be strengthened, shifted or developed to increase the benefits of consumer representation to the consumer, government and the economy. Specifically what is called for now are:

1. Evaluation of current consumer education programs for the purpose of determining what works well, with what kind of resources, in what kind of settings, and with what kinds of long-term results.

2. Establishment of a mechanism for sharing successes and failures of selected consumer programs, materials, information, and procedures for consumer representation in order to help interested persons, agencies and industries to develop or expand successful consumer education activities.

3. Provision of adequate funding, technical assistance, materials and other resources to teachers, leaders and organizers at state and local levels and in the public and private sectors so that they, in turn, develop the skills and acquire the resources which enable them to serve their areas consumer needs.

4. Dissemination of information on and enforcement of consumer protection laws, regulations and consumer representation plans.

5. Study of specialized programs and possible new priorities such as a Consumer Education Foundation (a non-profit, objective research institute) a series of media programs with/for low-income consumers and a public policy forum on consumer representation.

6. Establishment of a Federal Consumer Education policy position which directs Federal agencies to institute and update consumer education programs, including compensation for consumer participation, and which charges the Agency for Consumer Advocacy to assume lead responsibility for implementing recommendations (1)-(5) above, for coordinating Federal Consumer education activities and for providing opportunities and results to the public.

Clearly, the potential of aggressive, relevant consumer education to strengthen the individual consumer's self image and role in the marketplace, to curb many of the abuses and inefficiencies in our economy, and to bring about more effective, accountable and responsive government is just beginning to be understood.

Sandra L. Willett
January 1, 1977

STATEMENT OF HONORABLE WILLIAM LEHMAN
Community Education

Mr. Chairman, having played a major role in the development of federal involvement in community education, I appreciate this opportunity to reaffirm my strong commitment to the Community Education Program.

Community schools began proving their worth long before federal dollars became available. Their success has been amply demonstrated and I believe their potential is still great. With the assistance of the federal government in cooperation with state and local educational agencies, community education has a chance to make even greater contributions to our communities and to the entire educational system of this country.

As chairman of the Dade County School Board in 1971 and 1972, I gained first-hand knowledge of the outstanding community school program we have in Dade County. Started in 1961 as a pilot program in just one school, it grew to thirty-one schools in 1972 and to fifty-seven schools at the present time. This past year, 100,000 citizens of Dade County participated in the community school program. The range of services is constantly changing and expanding to meet the needs of the people.

The primary reason for Dade's success is the overwhelming support the program has received from the community it serves. Two years ago, there was talk of eliminating the

program for budgetary reasons. The outcry from the media and the citizens themselves was so great that the School Board was forced to change its position and continue the funding.

For the coming academic year, 1977-78, the program will operate with a budget of $2,313,596. $342,000 of this comes from the State of Florida. $1,266,596 comes out of the school district funds and $705,000 is from other community sources. These sources include contributions from the cities and towns, businesses and local organizations as well as fees paid by participants. In addition, the community school program obtains contracts for certain projects. One that is currently pending would be funded through CETA. Twenty to twenty-five unemployed persons would be hired to work in community schools.

The sources of funding for Dade County's community school program illustrate the tremendous cooperation among governmental units and interested members of the affected communities. What seems to be missing is a strong federal commitment.

Last year, Dade County was extremely disappointed with the results of the community education grants awarded by HEW. The disappointment did not only stem from its proposal being passed over. It arose also from the realization that HEW's emphasis was not quite right. The size of the individual grants was not adequate to implement the new and exciting ideas which could do the most good. In Florida, for

example, Miami-Dade Community College received $32,585 and the State Department of Education received $50,000. These funds were sufficient only to run some workshops and provide some outside consultants to areas seeking help. A large and well-established program like Dade's was able to benefit very little from these grants.

I must emphasize that the need for additional assistance is there. Despite the financial contributions of all those I mentioned earlier, there is still not enough. This year, the administrative office of Dade County's community education program is half-staffed due to the lack of funds.

The kinds of programs being conducted in Dade County deserve our support. They involve much more than the enrichment courses which are characteristic of adult education programs. In Dade County, community education provides some job training and assistance in learning how to go about getting a job. Classes are held for high school students on how to apply to colleges and where to look for financial assistance. Community school facilities are used by such organizations as the Boy Scouts, Junior Achievement and hot meals programs for the elderly. Senior citizen programs enable our elderly to meet and discuss their common problems and to take collective actions to solve them. A program now being run by the community schools is preschool camp. Youngsters who are slated to begin school this Fall can attend this program in order to prepare for the beginning of their

formal education. After-school care centers is another important program provided by community schools as a service to working parents.

The benefits of community education extend far beyond the immediate participants. Everyone benefits when school vandalism is reduced and when young people use their leisure time constructively. The emphasis on family relationships and involving persons of all ages further strengthens the entire community and work towards the development of pride in that community.

Mr. Chairman, with so many worthy programs competing for the federal education dollar, I realize how careful the subcommittee must be in authorizing the use of these funds. This is one place, however, where I believe you can be certain that this country will be getting its money's worth. While I have spoken primarily about Dade County because I am most familiar with it, I urge the subcommittee to be firm in its support of the many similar programs being conducted in cities across the country.

APPENDICES

APPENDIX 1-A

PUBLIC LAW 93-380, TITLE VII--NATIONAL READING IMPROVEMENT PROGRAM

AS AMENDED BY P.L. 94-194

STATEMENT OF PURPOSE

SEC. 701. It is the purpose of this title--

(1) to provide financial assistance to encourage State and local educational agencies to undertake projects to strengthen reading instruction programs in elementary grades;

(2) to provide financial assistance for the development and enhancement of necessary skills of instructional and other educational staff for reading programs;

(3) to develop a means by which measurable objectives for reading programs can be established and progress toward such objectives assessed;

(4) to develop the capacity of preelementary school children for reading, and to establish and improve preelementary school programs in language arts and reading; and

(5) to provide financial assistance to promote literacy among youth and adults.

PART A--READING IMPROVEMENT PROJECTS

PROJECTS AUTHORIZED

SEC. 705. (a) (1) The Commissioner is authorized to enter into agreements with either State educational agencies or local educational agencies, or both, for the carrying out by such agencies, in schools having large numbers or a high percentage of children with reading deficiencies, of projects involving the use of innovative methods, systems, materials, or programs which show promise of overcoming such reading deficiencies.

(2) The Commissioner is further authorized to enter into agreements with State educational agencies, local educational agencies, or with nonprofit educational or child care institutions for the carrying out by such agencies and institutions, in areas where such schools are located, of such projects for preelementary school children. Such projects are to be instituted in kindergartens, nursery schools, or other preschool institutions.

(3) (A) Notwithstanding the requirements of paragraphs (b) through (g) of this section, the Commissioner is authorized to enter into agreements pursuant to this paragraph during the fiscal year 1976 and the period beginning July 1, 1976 through September 30, 1976, with State educational agencies for the carrying out by such agencies of leadership and training activities designed

to prepare personnel throughout the State to conduct projects which have been demonstrated in that State or in other States to be effective in overcoming reading deficiencies. These activities shall be limited to

(i) assessments of need, including personnel needs, relating to reading problems in the State,

(ii) inservice training for local reading program administrators and instructional personnel, and

(iii) provision of technical assistance and dissemination of information to local educational agencies and other appropriate nonprofit agencies.

(B) Not to exceed $5,300,000 of any sums appropriated pursuant to subsection (a) of section 732 for the fiscal year 1976, and for the period from July 1, 1976 through September 30, 1976, may be used for carrying out this paragraph.

** The amendment made by paragraph (1) of this subsection shall take effect on October 1, 1976.*

*** Section 705 (a) (3) of the Education Amendments of 1974 as added by subsection (a) of this section is repealed effective September 30, 1976.*

(b) No agreement may be entered into under this part, unless upon an application made to the Commissioner at such time, in such manner, and including or accompanied by such information as he may reasonably require. [Each such application shall set forth a reading program which provides for--] *Each such application shall set forth a reading program which provides for the following (except that the requirements contained in paragraphs (4) and (13) shall be met to the extent practicable)--*

(1) diagnostic testing designed to identify preelementary and elementary school children with reading deficiencies, including the identification of conditions which, without appropriate other treatment, can be expected to impede or prevent children from learning to read;

(2) planning for and establishing comprehensive reading programs;

(3) reading instruction for elementary school pupils whose reading achievement is less than that which would normally be expected for pupils of comparable ages and in comparable grades of school;

(4) preservice training programs for teaching personnel including teacher-aides and other ancillary educational personnel, and in-service training and development programs, where feasible, designed to enable such personnel to improve their ability to teach students to read;

(5) participation of the school faculty, school board members, administration, parents, and students in reading-related activities which stimulate an interest in reading and are conducive to the improvement of reading skills;

(6) parent participation in development and implementation of the program for which assistance is sought;

** Ref. Sec. 732 (e), authorization of funds for state leadership and training projects for fiscal years 1977 and 1978.*

*** $5,300,000 "set aside" for FY1976 is only for the current fiscal year. Appropriations will be necessary for succeeding years.*

(7) local educational agency school board participation in the development of programs;
(8) periodic testing in programs for elementary school children on a sufficiently frequent basis to measure accurately reading achievement, and for programs for preelementary school children a test of reading proficiency at the conclusion, minimally, of the first-grade program into which the nursery and kindergarten programs are integrated;
(9) publication of test results on reading achievement by grade level, and where appropriate, by school, without identification of achievement of individual children;
(10) availability of test results on reading achievement on an individual basis to parents or guardians of any child being so tested;
(11) participation on an equitable basis by children enrolled in nonprofit private elementary schools in the area to be served (after consultation with the appropriate private school officials) to an extent consistent with the number of such children whose educational needs are of the kind the program is intended to meet;
(12) the use of bilingual education methods and techniques to the extent consistent with the number of elementary school-age children in the area served by a reading program who are of limited English-speaking ability;
(13) appropriate involvement of leaders of the cultural and educational resources of the area to be served, including institutions of higher education, nonprofit private schools, public and private nonprofit agencies such as libraries, museums, educational radio and television, and other cultural and education resources of the community: and
(14) assessment, evaluation, and collection of information on individual children by teachers during each year of the preelementary program, to be made available for teachers in the subsequent year, in order that continuity for the individual child not be lost;

(c) Each such applicant, [in addition to meeting the requirements of subsection (b)] *in addition to meeting the requirements of subsection (b), except for paragraphs (4) and (13) thereof,* shall provide assurances that--
(1) appropriate measures have been taken by the agency to analyze the reasons why elementary school children are not reading at the appropriate grade level;
(2) the agency will develop a plan setting forth specific objectives which shall include the goals of having the children in project schools reading at the appropriate grade level at the end of grade three; and
(3) whenever appropriate, sufficient measures will be taken to coordinate each preelementary reading program with the reading program of the educational agencies or institutions at which such preelementary school children will be next in attendance.

(d) No grant may be made under this part unless the application for such grant provides assurances that the provisions of this subsection are met. Each State educational agency shall--

(1) establish an advisory council on reading appointed by such agency which shall be broadly representative of the education resources of the State and of the general public, including persons representative of--

(A) public and private nonprofit elementary and secondary schools,

(B) institutions of higher education,

(C) parents of elementary and secondary school children, and

(D) areas of professional competence relating to instruction in reading, and

(2) authorize the advisory council established under clause (1) to receive and designate priorities among applications for grants under this section in that State, if--

(i) that State educational agency desires to receive a grant under this part, or

(ii) any local educational agency of that State desires to receive a grant under this part, and notifies the State educational agency concerned, or

(iii) in the case of a preelementary school program any nonprofit educational agency or child care institution in that State desires to receive a grant under this part, and notifies the State educational agency concerned.

(e) [No agreement may be entered into under this part unless the application submitted to the Commissioner--

(1) has first been approved by the State educational agency, and

(2) is accompanied by assurances that such agency will supervise compliance by the local educational agency in that State with the requirements set forth in subsection (b) of this section.]

No agreement may be entered into under this part unless the application submitted to the Commissioner has first been approved by the State educational agency.

(f) The Comissioner may approve any application submitted under this part which meets the requirements of subsections (b), (c), (d), and (e). In approving such applications, the Commissioner may not use any panel (other than employees of the Office of Education) for the purpose of such approval.

(g) In approving applications under this part the Commissioner shall, to the maximum extent feasible, assure an equitable distribution of funds throughout the United States and among urban and rural areas. Not more than 12 1/2 percent of the funds expended under this part in any fiscal year may be expended in any State in that year.

(h) From the sums appropriated for the purposes of this part for any fiscal year, the Commissioner may pay to each State educational agency, in addition to any amounts paid to such agency pursuant to subsection (a) of this section, the amount necessary to meet the

costs of carrying out its responsibilities under this section, including the costs of the advisory council required to be established pursuant to subsection (d). However, such amount may not exceed 1 per centum of the total amount of grants under this part made within the State for that fiscal year.

PART B--STATE READING IMPROVEMENT PROGRAMS

STATEMENT OF PURPOSE

SEC. 711. It is the purpose of this part to provide financial assistance to the States to enable them--

(1) to provide financial assistance for projects designed to facilitate reaching the objectives of this title;
(2) to develop comprehensive programs to improve reading proficiency and instruction in reading in the elementary schools of the State;
(3) to provide State leadership in the planning, improving, execution, and evaluation of reading programs in elementary schools; and
(4) to arrange for and assist in the training of special reading personnel and specialists needed in programs assisted under this title.

APPLICABILITY AND EFFECTIVE DATE

SEC. 712. (a) The provisions of this part shall become effective only in any fiscal year in which appropriations made pursuant to section 732 (a) exceed $30,000,000 and then only with respect to the amount of such excess.

(b) The provisions of this part shall be effective on and after the beginning of fiscal year 1976.

ALLOTMENTS TO STATES

SEC. 713. (a) (1) From the sums appropriated pursuant to section 732 (a) for each fiscal year which are available for carrying out this part, the Commissioner shall reserve such amount, but not in excess of 1 per centum of such sums, as he may determine, and shall apportion such amount to Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. Of the remainder of such sums, he shall allot an amount to each State which bears the same ratio to the amount available for allotment as the number of school age children (aged 5 to 12) in each such State bears to the total number of such children in all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him. The allotment of a State which would be less than $50,000 under the preceding

sentence shall be increased to $50,000, and the total of the increases thereby required shall be derived by proportionately reducing the allotments to the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotments to any such remaining States from being reduced to less than $50,000.

(2) For the purpose of this section the term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

(b) The amount allotted to any State under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallotment from time to time, on such dates during that year as the Commissioner may fix, to other States in proportion to the amounts originally allotted among those States under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates the local educational agencies of such State need and will be able to use for that year; and the total of these reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 732 for any fiscal year shall be deemed part of the amount allotted to it under subsection (a) for that year.

AGREEMENTS WITH STATE EDUCATIONAL AGENCIES

SEC. 714. (a) Any State which desires to receive grants under this part shall, through its State educational agency, enter into an agreement with the Commissioner, in such detail as the Commissioner deems necessary, which--

(1) designates the State educational agency as the sole agency for administration of the agreement;

(2) provides for the establishment of a State advisory council on reading, appointed by the State educational agency, which shall be broadly representative of the educational resources of the State and of the general public, including persons representative of--

(A) public and private nonprofit elementary school children, and

(B) institutions of higher education,

(C) parents of elementary school children, and

(D) areas of professional competence relating to instruction in reading,

to advise the State educational agency on the formulation of a standard of excellence for reading programs in the elementary schools and on the preparation of, and policy matters arising in the administration of, the agreement (including the criteria for approval of applications for assistance under such agreement) and in the evaluation of results of the program carried out pursuant to the agreement;

(3) describes the reading programs in elementary schools for which assistance is sought under this part and procedures for giving priority to reading programs which are already receiving Federal financial assistance and show reasonable promise of achieving success;

(4) sets forth procedures for the submission of applications by local educational agencies within that State, including procedures for an adequate description of the reading programs for which assistance is sought under this part;

(5) sets forth criteria for achieving an equitable distribution of that part of the assistance under this part which is made available to local educational agencies pursuant to the second sentence of subsection (b) of this section, which criteria shall--

(A) take into account the size of the population to be served, beginning with preschool, the relative needs of pupils in different population groups within the State for the program authorized by this title, and the financial ability of the local educational agency serving such pupils,

(B) assure that such distribution shall include grants to local educational agencies having high concentrations of children with low reading proficiency, and

(C) assure an equitable distribution of funds among urban and rural areas;

(6) sets forth criteria for the selection or designation and training of personnel (such as reading specialists and administrators of reading programs) engaged in programs assisted under this part, including training for private elementary school personnel, which shall include qualifications acceptable for such personnel;

(7) provides for the coordination and evaluation of programs assisted under this part;

(8) provides for technical assistance and support services for local educational agencies participating in the program;

(9) makes provision for the dissemination to the educational community and the general public of information about the objectives of the program and results achieved in the course of its implementation;

(10) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to evaluate the effectiveness of the program and to carry out his other functions under this title;

(11) provides that not more than 5 per centum of the amount allotted to the State under section 713 for any fiscal year may be retained by the State educational agency for purposes of administering the agreement; and

(12) provides that programs assisted under this part shall be of sufficient size, scope, and quality so as to give reasonable promise of substantial progress toward achieving the purposes of this title.

(b) Grants for projects to carry out the purposes of this part may be

made to local educational agencies (subject to the provision of subsection (e) relating to the participation of private elementary and secondary school pupils), institutions of higher education, and other public and nonprofit private agencies and institutions. Not less than 60 per centum of the amount allotted to a State under section 713 for any fiscal year shall be made available by the State for grants to local educational agencies within that State.

(c) The Commissioner shall enter into an agreement which complies with the provisions of subsection (a) with any State which desires to enter into such an agreement.

(d) The Commissioner's final action with respect to entering into an agreement under subsection (a) shall be subject to the provisions of section 207 of the Elementary and Secondary Education Act of 1965, relating to judicial review.

(e) The provisions of section 141A of the Elementary and Secondary Education Act of 1965 relating to the participation of children enrolled in private elementary and secondary schools shall apply to programs assisted under this part.

(f) The functions of the State advisory council on reading, required to be established by subsection (a) (2) of this section, may be carried out by the State advisory council created pursuant to section 705 (d) (1).

PART C--OTHER READING IMPROVEMENT PROGRAMS

SPECIAL EMPHASIS PROJECTS

SEC. 721. (a) The Commissioner is authorized to contract with local educational agencies for special emphasis projects to determine the effectiveness of intensive instruction by reading specialists and reading teachers. Each such project should provide for--

(1) the teaching of reading by a reading specialist for all children in the first and second grades of an elementary school and the teaching of reading by a reading specialist for elementary school children in grades three through six who have reading problems; and

(2) an intensive vacation reading program for elementary school children who are found to be reading below the appropriate grade level or who are experiencing problems in learning to read.

(b) No contract may be entered into under this section unless upon an application made to the Commissioner at such time, in such manner, and including or accompanied by such information as he may reasonably require. Each such application shall provide assurances that--

(1) the provisions of section 705 (b) *and (c)* are met; and

(2) the State educational agency has certified that individuals employed as reading specialists and reading teachers meet the requirements of subsections (e) and (f).

(c) No contract may be entered into under this section unless the project has been approved by the State educational agency.

(d) The Commissioner is authorized to enter into at least one arrangement with a local educational agency for a districtwide project conducted in all schools of such agencies. In selecting the districtwide project, the Commissioner shall give priority to an application from a local educational agency if the Commissioner finds that--

(1) the local educational agency will give credit for any course to be developed for reading teachers or reading specialists under section 722 and will encourage participation by the teachers of such agency in the training;

(2) the local public educational television station will present or distribute, in the event supplementary noncommercial telecommunication is utilized, any course to be developed under section 722 at an hour convenient for the viewing by elementary school teachers, and, if possible, at a time convenient for such teachers to take the course, as a group, at the elementary school where they teach; and

(3) the local educational agency will make arrangements with the appropriate officials of institutions of higher education to obtain academic credit for the completion of such a course.

(e) In any project assisted under this section a reading teacher may be used in lieu of a reading specialist, if the Commissioner finds that the local educational agency participating in a reading emphasis project is unable to secure individuals who meet the requirements of a reading specialist and if such reading teacher is enrolled or will enroll in a program to become a reading specialist. A regular elementary teacher may be used in lieu of a reading teacher if the Commissioner finds that the local educational agency participating in a reading emphasis project is unable to secure individuals who meet the requirements of the reading teacher, and if such regular elementary teacher is enrolled or will enroll in a program to become a reading teacher.

(f) For the purpose of this section and section 722 the term--

(1) "reading specialist" means an individual who has a master's degree, with a major or specialty in reading, from an accredited institution of higher education and has successfully completed three years of teaching experience, which includes reading instruction, and

(2) "reading teacher" means an individual, with a bachelor's degree, who has successfully completed a minimum of twelve credit hours, or its equivalent, in courses of the teaching of reading at an accredited institution of higher education, and has successfully completed two years of teaching experience, which includes reading instruction.

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READING TRAINING ON PUBLIC TELEVISION

SEC. 722. (a) The Commissioner is authorized, through grants or contracts, to enter into contractual arrangements with institutions of higher education, public or private agencies or organizations, and individuals for--

(1) the preparation, production, evaluation, and distribution for use on public educational television stations of courses for elementary school teachers who are or intend to become reading teachers or reading specialists; and

(2) the preparation and distribution of informational and study course material to be used in conjunction with any such course.

(b) In carrying out the provisions of this section the Commissioner shall consult with recognized authorities in the field of reading, specialists in the use of the communications media for educational purposes, and with the State and local educational agencies participating in projects under this title.

READING ACADEMIES

SEC. 723. (a) The Commissioner is authorized to make grants to and to enter into contracts with State and local educational agencies, institutions of higher education, community organizations and other nonprofit organizations, having the capacity to furnish reading assistance and instruction to *in-school as well as out-of-school* youths and adults who do not otherwise receive such assistance and instruction.

(b) Grants made and contracts entered into under this section shall contain provisions to assure that such reading assistance and instruction will be provided in appropriate facilities to be known as "reading academies".

STATE LEADERSHIP AND TRAINING PROJECTS

SEC. 724. The commissioner is authorized to enter into agreements pursuant to this section with State educational agencies for the carrying out by such agencies of leadership and training activities designed to prepare personnel throughout the State to conduct projects which have been demonstrated in that State or other States to be effective in overcoming reading deficiencies. The activities authorized by this section shall be limited to--

(1) assessments of need, including personnel needs, relating to reading problems in the State,

(2) inservice training for local reading program administrators and instructional personnel, and

(3) provision of technical assistance and dissemination of information to local educational agencies and other appropriate nonprofit agencies.

NATIONAL IMPACT READING PROGRAMS

SEC. 725. [(a)] The Commissioner is authorized to carry out, either directly or through grants or contracts,

(1) innovation and development projects and activities of national significance which show promise of having a substantial impact in overcoming reading deficiencies in children, youths, and adults through incorporation into ongoing State and local educational systems throughout the Nation, and

(2) dissemination of information related to such programs.

[(b) Not to exceed $600,000 of any sums appropriated pursuant to subsection (a) of section 732 for the fiscal year 1976, and for the period from July 1, 1976 through September 30, 1976, may be used for carrying out this section.]

[a] In the above section (Sec. 725), the amendment striking out "(a)" after the section designation and striking out subsection (b) of such section shall take effect on September 30, 1976.

INEXPENSIVE BOOK DISTRIBUTION PROGRAM FOR READING MOTIVATION

SEC. 726. (a) The Commissioner is authorized

(1) to enter into a contract with a private nonprofit group or public agency (hereinafter in this section referred to as the 'contractor'), which has as its primary purpose the motivation of children to learn to read, to support and promote the establishment of reading motivational programs which include the distribution of inexpensive books to students and

(2) to pay the Federal share of the cost of such programs.

(b) This contract shall provide that--

(1) the contractor will enter into subcontracts with local private nonprofit groups or organizations or with public agencies (hereinafter referred to as 'subcontractors') under which the subcontractors will agree to establish, operate, and provide the non-Federal share of the cost of reading motivational programs which include the distribution of books by gift, loan, or sale at a nominal price to children in preelementary, elementary, or secondary schools;

(2) funds made available by the Commissioner to a contractor pursuant to any contract entered into under this section will be used to pay the Federal share of the cost of establishing and operating reading motivational programs as provided in paragraph (1);

(3) the contractor will meet such other conditions and standards as the Commissioner determines to be necessary to assure the effectiveness of the programs authorized by this section and will provide technical assistance in furtherance of the purposes of this section.

(c) The Commissioner shall make no payment of the Federal share of the cost of acquiring and distributing books pursuant to a contract

[a] Ref. Sec. 732 (f), authorization of funds for National Impact Reading Programs for fiscal years 1977 and 1978.

authorized by this section unless he determines that the contractor or the subcontractor, as the case may be, has made arrangements with book publishers or distributors to obtain books at discounts at least as favorable as discounts that are customarily given by such publisher or distributor for book purchases made under similar circumstances in the absence of Federal assistance.

(d) For purposes of this section--

(1) the term 'nonprofit', when used in connection with any organization, means an organization no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual;

(2) the term 'Federal share' means, with respect to the cost of books purchased by a local private nonprofit group, organization, or public agency for a program in a locality for distributing such books to schoolchildren in that locality, 50 per centum of the cost of that agency or group or organization for such books for such program;

(3) the term 'preelementary school' means a day or residential school which provides pre-elementary education, as determined under State law, except that such term does not include education for children who have not attained three years of age;

(4) the term 'elementary school' has the same meaning as provided in section 801 (c) of the Elementary and Secondary Education Act of 1965; and

(5) the term 'secondary school' has the same meaning as provided in section 801 (h) of the Elementary and Secondary Education Act of 1965.

PART D--GENERAL PROVISIONS

EVALUATION

SEC. 731. (a) The Commissioner shall submit an evaluation report to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives not later than [March 31] *February 1*, in each fiscal year ending prior to fiscal year 1979. Each such report shall--

(1) contain a statement of specific and detailed objectives for the program assisted under the provisions of this title;

(2) include a statement of the effectiveness of the program in meeting the stated objectives, measured through the end of the preceding fiscal year;

(3) make recommendations with respect to any changes or additional legislation deemed necessary or desirable in carrying out the program;

(4) contain a list identifying the principal analyses and studies supporting the major conclusions and recommendations contained in the report; and

(5) contain an annual evaluation plan for the program through the ensuing fiscal year for which the budget was transmitted to Congress by the President, in accordance with section 201 (a) of the Budget and Accounting Act, 1921.

(b) From the sums appropriated pursuant to section 732 for any fiscal year, the Commissioner may reserve such amount, not in excess of 1 per centum of such sums, as he deems necessary for evaluation, by the Commissioner or by public or private nonprofit agencies, of programs assisted under this title.

AUTHORIZATION OF APPROPRIATIONS

SEC. 732. (a) There are authorized to be appropriated to carry out the provisions of parts A and B of this title $30,000,000 for the fiscal year ending June 30, 1975, $82,000,000 for the fiscal year ending June 30, 1976, $88,000,000 for the fiscal year ending June 30, 1977, and $93,000,000 for the fiscal year ending June 30, 1978.

(b) There are authorized to be appropriated to carry out the provisions of section 721, relating to special emphasis projects, $15,000,000 for the fiscal year ending June 30, 1975, $20,000,000 for the fiscal year ending June 30, 1976, and $25,000,000 for each of the fiscal years ending June 30, 1977 and 1978.

(c) There are authorized to be appropriated for the purpose of carrying out section 722, relating to reading training on public television, $3,000,000 for the fiscal year ending June 30, 1975. Sums appropriated pursuant to this subsection shall remain available for obligation and expenditure through the succeeding fiscal year.

(d) There are authorized to be appropriated to carry out the provisions of section 723, relating to reading academies, $5,000,000 for the fiscal year ending June 30, 1975, $7,500,000 for the fiscal year ending June 30, 1976, and $10,000,000 for each of the fiscal years ending June 30, 1977 and 1978.

(e) There are authorized to be appropriated to carry out the provisions of section 724, relating to State leadership and training projects, $6,400,000 each for the fiscal year ending September 30, 1977, and for the succeeding fiscal year.

(f) There are authorized to be appropriated to carry out the provisions of section 725, relating to national impact reading programs, $800,000 each for the fiscal year ending September 30, 1977 and for the succeeding fiscal year.

(g) There are authorized to be appropriated to carry out the provisions of section 726, relating to inexpensive book distribution programs for reading motivation, $4,000,000 for the fiscal year ending June 30, 1976, and $9,000,000 for each of the following two fiscal years. Under such conditions as the Commissioner determines to be appropriate, not to exceed 10 per centum of the amounts

appropriated for each fiscal year shall be available for a contract from the Commissioner to the contractor designated under section 728 for technical assistance under subsection (b) (3) of section 728 to carry out the provisions of such section.

ACCEPTANCE OF GIFTS

SEC. 733. Notwithstanding the provisions of section 408 (a) (3) of the General Education Provisions Act, the Commissioner may accept on behalf of the United States, gifts or donations made with or without conditions of services, money or property (real, personal, or mixed; tangible or intangible) made for any activities authorized to be carried out by such agency under the authority of this title.

Public Law 93-380 Approved August 21, 1974.
Public Law 94-194 Approved December 31, 1975.

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 162—NATIONAL READING IMPROVEMENT PROGRAM

Award of Grants and Contracts

Pursuant to the authority contained in Title VII of Pub. L. 93-380 (20 U.S.C. 1901 *et seq.*), notice was published in the FEDERAL REGISTER on December 4, 1975 (40 FR 56678) setting forth proposed regulations for grant and contract awards by the Commissioner of Education to State and local educational agencies and other non-profit organizations, as eligible under pertinent subparts, to carry out reading projects to:

(a) Strengthen reading instructional programs in elementary grades;

(b) Develop the capacity of pre-elementary school children for reading;

(c) Establish and improve pre-elementary school programs in language and reading;

(d) Develop and enhance skills of instructional and other educational staff for reading programs;

(e) Support State-administered reading programs;

(f) Test the effectiveness of intensive instruction by reading specialists and reading teachers; and

(g) Promote literacy among youths and adults.

Written comments and recommendations submitted by members of the public on the proposed rule have been carefully reviewed by the Commissioner. Summaries of the comments on the proposed regulation are set forth in the preamble below on a section by section basis, together with responses explaining the changes which have been made in the final regulation in response to the comments, or indicating why no changes were deemed appropriate. A number of changes have been made in the final regulation in response to the public comments.

The final regulation also includes changes to reflect statutory amendments to Title VII of Pub. L. 93-380 enacted by Pub. L. 94-194, which was signed by the President December 31, 1975. In particular, Subpart F has been added to cover awards to State educational agencies for State leadership and training activities, an activity newly authorized under Title VII by Section 1 of Pub. L. 94-194. These activities were formerly carried out under the authority of the Cooperative Research Act (20 U.S.C. 331a), which has now expired, and Subpart F follows closely the regulation which governed the program under the Cooperative Research Act (45 CFR Part 151, Subpart D). In addition, minor changes have been made in: (1) Subparts B and D of the regulation to reflect amendments to section 705 of Pub. L. 93-380 enacted by Section 2 of Pub. L. 94-194 respecting elementary and preelementary school reading improvement projects; and (2) Subpart C of the regulation to reflect section 4 of Pub. L. 94-194. Finally, Subpart E of the regulation has been changed to reflect an amendment to section 723 of Pub. L. 93-380 enacted by section 5 of Pub. L. 94-194 with respect to the eligibility of in-school youths and adults to participate in projects. Specifically, § 162.50 has been amended to reflect and clarify the intent of the statutory change. The amendment is more fully described in the preamble below under the response to comments on § 162.50.

Other statutory amendments to Title VII of Pub. L. 93-380 enacted by Pub. L. 94-194 are not deemed to need regulations for their implementation. These include section 3 of Pub. L. 94-194, providing for State administrative costs; section 6 on National Impact Reading Programs, which will be implemented through specific contracts; section 7, on the date for the Commissioner's Evaluation Report; section 8, on the acceptance by the Commissioner on behalf of the United States of gifts for activities authorized by Title VII; and section 9, authorizing a contract to support an inexpensive book distribution program to promote reading motivation.

A. SUMMARY

1. *Purpose of regulation.* Title VII of Pub. L. 93-380 establishes a number of programs to fund projects which will contribute to the improvement of reading skills throughout the country. The purpose of this regulation, which constitutes a new Part 162 in Title 45 CFR, is to establish rules for the conduct of these programs. The statute does not set forth certain matters which applicants must know in order to compete effectively for awards under these programs, including the criteria or standards by which applications will be judged, the duration of projects, procedures for State review of applications and, with respect to activities other than those described in Subpart B, application requirements. The regulation sets forth rules regarding these matters in order to provide uniform and fair guidance to applicants and the general public.

2. *Summary of regulation.* (a) *Organization.* Proposed Part 162 is divided into a number of subparts. Subpart A sets forth general introductory provisions, including common definitions, for the part as a whole; Subpart B governs direct project grants under Part A of Title VII, Pub. L. 93-380; Subpart C governs the State-administered programs under Part B of Title VII of Pub. L. 93-380; Subpart D governs Special Emphasis Projects under section 721 of Pub. L. 93-380; Subpart E governs academy grants for youths and adults under section 723 of Pub. L. 93-380; and Subpart F governs State leadership and training projects under section 705(a)(3) and 724 of Pub. L. 93-380, as amended by Pub. L. 94-194. Appendix A sets forth the statutory provisions of Part B of Title VII, Pub. L. 93-380, and Appendix B contains guidelines for the academy program under section 723 of Pub. L. 93-380.

(b) *Subpart B—Reading Improvement Projects.* Two types of projects are authorized under this subpart:

(1) Projects to strengthen reading instructional programs in elementary schools having large numbers or a high percentage of children with reading deficiencies through innovative materials, programs, or other elements. Grants for these projects may be made to State or local educational agencies.

(2) Projects to establish and improve programs in language arts and reading in pre-elementary schools, in areas where there are large numbers or a high percentage of elementary school children with reading deficiencies, through innovative materials, programs, or other elements. Grants for these projects may be made to State or local educational agencies or nonprofit educational or child care institutions (§§ 162.10 and 162.11).

Each application requirement in § 162.12 would have to be met by an application for assistance under Subpart B in order for the application to be considered for funding.

Section 162.14 sets forth evaluation criteria and is divided into general criteria and specific programmatic criteria. Specific programmatic criteria include the extent the proposed project is designed to achieve high quality with respect to certain specific program elements required by § 162.12(c).

With respect to many of the specific program criteria, the proposed provisions set out the criterion and follow the criterion with a number of examples of considerations which may enter into the Commissioner's judgment of how many points to assign a particular criterion for each application. These examples are introduced by the language "as measured by factors such as whether." They are not requirements or hard and fast criteria and are not intended as an exhaustive list of considerations which will influence application of the stated criterion. However, they do give guidance to applicants as to some of the kinds of factors which might be addressed in the application to receive the maximum number of points under each respective criterion.

(c) *Subpart D—Special Emphasis Projects.* Subpart D sets forth proposed regulations governing projects under section 721 of Pub. L. 93-380. These projects involve awards to local educational agencies to determine the relative effectiveness of intensive reading instruction by reading specialists and reading teachers.

Because the purpose of the statute is to evaluate an approach to reading instruction, a number of requirements in the proposed regulation relate to necessary conditions for the evaluation, including the designation of a project and a control school, the relationship between the project and control schools, and cooperation by the award recipient in an evaluation to be conducted by the Commissioner or by a contractor of the Commissioner.

Awards to recipients under this subpart would be by means of assistance rather than procurement contracts, with awards to be made on the basis of applications submitted pursuant to a notice of closing date in the FEDERAL REGISTER.

Many of the application requirements in proposed § 162.40 derive from section 721(b)(1) of Pub. L. 93-380, which requires each application for a special emphasis project to provide assurances that the provisions of section 705(b) of Pub. L. 93-380 are met.

(d) *Subpart E—Reading Academy Program.* The Reading Academy Program will provide exemplary reading assistance and instruction for functionally illiterate in-school as well as out-of-school youths and adults not reached through other reading programs. Grants for reading academy programs may be made to State and local educational agencies, institutions of higher education, and community and other nonprofit organizations.

(e) *Subpart F—State Leadership and Training Projects.* Awards to State educational agencies are authorized for leadership and training activities designed to prepare personnel throughout the State to conduct projects which have been demonstrated in that State or in other States to be effective in overcoming reading deficiencies. This program is authorized by sections 705(a)(3) and 724 of Pub. L. 93-380, as enacted by Pub. L. 94-194.

3. *Public reaction to the proposed regulation.* Most comments on the proposed regulation concerned provisions in Subpart B concerning elementary school reading improvement projects. The major substantive comment concerning the need for sustained support of State educational agencies for statewide leadership activities not based in particular schools, was addressed by the enactment of a specific authority for these activities by Pub. L. 94-194, enacted December 31, 1975, and the statutory amendment is implemented by the addition of a new Subpart F.

A number of public comments on Subpart B objected to specific application requirements, while others recommended regulation in greater detail on these requirements. The requirements which drew objections derive directly from the statute, and the Commissioner is without authority to delete them. On the other hand, the Commissioner has opted to leave considerable discretion to local applicants as to the specific manner in which these requirements are satisfied, out of a concern to avoid over-regulation by the Federal government. Also, with respect to Subpart B of the regulation, representatives of the State educational agencies complained that their function of approving applications and of establishing a State advisory council authorized to receive and rank applications, as required by the Statute, would impose a substantial administrative burden without any guarantee that their efforts would influence funding decisions at the national lev l. To respond to their concerns, § 162.14 has been amended to assign a substantial number of points to the State advisory council rankings of applications. This issue is more fully discussed under the response to comments on § 162.13 below.

One comment on Subpart D recommended that the regulation authorize control classes instead of requiring control schools under the Special Emphasis Projects. The comment has not been adopted based on concerns that the recommendation would vitiate the test model. This is more fully explained under the response to comments under § 162.40 below.

Comments on Subpart E relating to serving in-school youths and adults in

Reading Academy Programs were addressed by section 5 of Pub. L. 94-194, as implemented in § 162.58 of the final regulation.

B. DETAILED SUMMARY OF COMMENTS, CHANGES IN THE REGULATION

The following comments were submitted to the Commissioner regarding the proposed regulation. After the summary of each comment, a response is set forth stating changes which have been made in the regulation, or the reasons why no change is deemed appropriate. The comments are arranged in the order of the sections of the final regulation.

SUBPARTS A AND B

§ 162.1 *Scope and purposes*

Comment. One commenter suggested that the purpose of the pre-elementary program described in § 162.1(b)(4) and other parts of the regulation be changed from "develop the capacity of pre-elementary school children" to "improve performance" of the pre-elementary school children.

Response. No change has been made in the regulation. The term "capacity" is used in the law itself and can be read to refer to the pre-elementary child's "readiness" for reading. Pre-elementary projects will be developing the child's readiness for reading and the other language arts.

§ 162.2 DEFINITION

Comment. A commenter suggested that the definition of "non-profit educational or child care institution" be changed to include pre-elementary reading improvement project applicants who wish to establish a program to become a non-profit educational institution, as well as including those institutions currently operating such a program.

Response. No change has been made in the regulation. Before a grant is awarded, a non-profit educational or child care institution must have an ongoing educational or child care program, but it need not have an ongoing program in language arts and reading. Financial assistance under this statute is designed to establish and/or improve the language arts and reading programs in a non-profit educational or child care institution, but it is not designed to start or establish the institutions themselves.

§ 162.11 *Eligible applicants, nature of projects.*

Comment. One commenter suggested that teacher training programs and parent training programs be integrated into the reading improvement programs.

Response. No change has been made in the regulation. The Act focuses on innovative direct services to students who either have reading deficiencies or, in the case of the pre-elementary school children, are likely to develop these deficiencies. But, in providing these services, the applicant is clearly required to include preservice and inservice training to the extent parcticable and to include involvement of parents (§ 162.12(c)(1)(i)(A) and (iii)(C), as well as § 162.14(b)(3) and (b)(4)).

Comment. Two commenters suggested that the emphasis of the regulation be placed on the funding of programs that would have an impact on many schools and districts, not just individual school sites.

Response. No change has been made in the regulation. Part A of Title VII of Pub. L. 93-380 authorizes reading improvement projects in schools and sets out fourteen specific requirements which must be contained in each funded program, and which relate primarily to the direct provision of reading services to teachers and children in schools. Thus, Part A grants must be for school-based projects.

There is no limit in the regulation on the number of schools which may be involved in a project, and eligible applicants may apply "jointly" for funding in accordance with § 100a.19 of this chapter. In addition, the evaluation criteria award extra points to projects which provide for reaching a large number of schools, either through:

(1) Their direct involvement in the project as project schools;

(2) Specific plans to implement innovative elements developed in the project in all other schools administered by the applicant; and/or

(3) Provisions for dissemination of information on the project to other agencies and institutions (§ 162.14(a)(10)).

Beyond these provisions, it would not be appropriate to require projects to impact upon many schools and districts. Funds for the program are limited, and particularly given the fourteen program requirements which apply to project schools, the Office of Education could not realistically preclude the funding of projects focusing on one or a limited number of schools. It should also be noted that statewide leadership and training activities under Subpart F of this regulation will be designed to impact upon many schools and districts.

Comment. A commenter suggested that the requirement that the State educational agency, in order to be an eligible applicant, must "directly administer an elementary school program" be deleted in § 162.11(b)(4)(iv).

Response. No change has been made in the regulation. As indicated in the response to the preceding comment, Part A of Title VII authorizes school-based projects.

Subgrants of Federal funds may be made by State educational agencies to local educational agencies and other entities only when they are expressly authorized by statute, as under Titles I and IV of the Elementary and Secondary Education Act, and under Part B of Title VII of Pub. L. 93-380. Subgrants are not authorized under Part A of Title VII of Pub. L. 93-380. It therefore follows that State educational agencies may receive a Part A award only if they are in a position to administer and directly supervise the project, a requirement applied to all direct, discretionary grant programs of the Office of Education by 45 CFR 100a.30.

Section 162.11(b)(4) of the regulation merely reflects these legal constraints in the context of this subpart and takes cognizance of those situations in which the State educational agency would be capable of satisfying these constraints. State educational agencies not interested in participating in the direct administration of elementary school projects may apply for a State leadership and training award under Subpart F of this part.

Comment. One commenter suggested that grades 4 through 8 in middle, junior, and secondary schools be included in the universe of eligible applicants (§ 162.11(a)). A second commenter suggested that the eligible applicants for elementary school reading improvement projects include institutions of higher education, and another commenter suggested that the same universe of eligible applicants include neighborhoods served by settlement and neighborhood centers.

Response. The statute authorizes projects only at the elementary or pre-elementary school levels. Students of middle schools may be served if the schools are "elementary schools" under § 162.2, which depends upon whether the schools provide elementary education as determined under State law. With respect to applicants eligible to receive awards, the statute limits eligibility for elementary level projects to local educational agencies and State educational agencies. The other suggested classes of applicants are not eligible under the statute.

§ 162.12 *Application requirements*

Comment. A commenter suggested that the requirement that the public have an opportunity for input into the planning of the project described in an application (such as through public notice and hearings) (§ 162.12(c)(1)(i)(B)) include a specification that public notice be published once a week for three consecutive weeks in one or more newspapers of general circulation published in the county.

Response. No change has been made in the regulation. The applicant should, by better knowing local clients and media, best be able to judge appropriate means for securing local input into the project application.

Comment. One commenter suggested that a private elementary school should have its children participate in the program if a State educational agency applied for and received a grant award.

Response. The commenter's concern is already met by the regulation. Section 162.12(c)(2)(ii)(C) requires participation on an equitable basis by children enrolled in nonprofit private elementary schools.

Comment. One commenter suggested that provision be made in § 162.12(c)(1)(ii)(A) and § 162.14(b)(1) for a medical and psychological diagnosis that would ascertain a child's current general intellectual and developmental functioning.

Response. No change has been made in the regulation. Nothing in the current regulation prohibits such a diagnosis if such information is necessary to assist a particular child in overcoming his or

her reading deficiencies. Based on experience with past applications, such testing may not be necessary for large numbers of children, and would prove too costly in terms of available funds if it were required for all children.

Comment. A commenter suggested that the extent of testing be reduced (§162.12 (c)(1)(ii)(A) and (c)(2)(i)(B) and § 162.14(b)(1) and (b)(5)).

Response. The Office of Education shares the concern of the commenter and has not requested any testing beyond that required by the statute (both in the proposed and final rule).

Comment. One commenter suggested that the regulation include a definition of "achievement testing" (§ 162.12(c)(2)(i)(B) and (3)(i) as well as § 162.14 (b)(5)) and a definition of "diagnostic testing" to aid in understanding the terms (§ 162.12(c)(1)(ii)(A)).

Response. No change has been made in the regulation. The regulation already provides a succinct explanation of the nature of these tests in the context in which they are required (§ 162.12(c)(1)(ii)(A), (2)(B), and (3)(i)). No specialized uses of these terms beyond the general description provided in these contexts are intended.

Comment. One commenter recommended that the regulations should be rewritten to reflect the fact that there are many excellent school reading programs operating at the present time which are very effective.

Response. The Office of Education intends no implication that there are not many excellent and effective school reading programs at the present time and does not understand the regulation to carry such an implication. However, it should be understood that the statute only authorizes support of projects involving the use of innovative methods, systems, materials, or other elements which show promise of overcoming reading deficiencies. The regulation has been framed in terms of this authorization.

Projects could not be supported merely to sustain ongoing reading programs or program elements in a given site. The regulatory requirement in § 162.12(b)(2) that the project be designed to improve and expand upon existing reading activities and programs through innovative methods, systems, materials, or other elements derives directly from the statutory authorization of innovative programs.

With respect to the commenter's concern, it may be noted that the term "innovative" might have been defined to mean new and different for the entire Nation, which might have carried the implication that nothing worth supporting already existed in school reading programs. However, the term "innovative" has been defined to mean new and different to participants in project activities, which means that an applicant may be funded to introduce program elements to a school which have proved effective in other settings.

Comment. A commenter suggested (in § 162.12(a)(1)) that the word "grade" be deleted or the word "level" be redefined in the requirement, which provides that the application must set forth "plans and strategies for having the children in project schools reading at the appropriate grade level at the end of grade three." Another commenter suggested that the requirement be aimed at "the appropriate grade level at the end of grade six" rather than grade three.

Response. A change has been made to clarify the intent of this requirement by defining the word "appropriate" with reference to each individual student's age and ability (§ 162.2). No change can be made with reference to the application of the requirement to the end of grade three, since this requirement is stated in the authorizing statute.

Comment. One commenter suggested that a definition be added for the word "analyze," as used in § 162.12(b)(1) to require that the applicant has taken measures to analyze the reasons why elementary school children are not reading at the appropriate grade levels.

Response. No change has been made in the regulation. "Analyze" is used in the ordinary dictionary sense.

Comment. One commenter suggested that the form, manner, and audience for which test results are to be published should be identified in the regulation. Another commenter suggested that the publication of test results (§ 162.12(c)(1)(ii)(E)) and (§ 162.14(b)(8)) should be done once a week for three consecutive weeks in one or more newspapers. Another commenter suggested that no publication of test results be required.

Response. No change has been made in the regulation. The local grantee should best be able to judge the form, manner, and audience for publication of test results. The requirement of publication is contained in the Act and cannot be deleted. The Office of Education has observed that achievement test results are best used when the local school decision-makers and the local community plan ahead for the form, manner, and audience for test results. What is effective and helpful for teachers, parents, and schools in one local educational agency may not be as helpful in the next.

Comment. A commenter suggested that specific program requirements (§ 162.12) be included for statewide reading programs.

Response. No change has been made. The regulation seems adequate for projects in one or in a number of schools (see the response above under comment on § 162.11).

Comment. One commenter suggested that diagnostic testing, as required in § 162.12(c)(1)(ii)(A) and § 162.14(b)(1), include the "use of an expectancy formula."

Response. No change has been made in the regulation. The various techniques for diagnosing are better left to the discretion of the grantees.

Comment. A commenter suggested that, in § 162.12(c)(2)(i)(A) and § 162.14(b)(2)(iii), applications be judged on how well they address the needs of children with reading deficiencies and not on the provision of services to all children in classes to be served by the project.

Response. No change has been made in the regulation. The Act and the regulation (in the cited sections) do focus on students with reading deficiencies but not to the exclusion of other students. Evaluations show that children with reading deficiencies do better in overcoming them if, for the most part, they are included with the other students in their classes. Thus, the regulation, while requiring projects to focus on children with reading deficiencies, also requires instruction for every child in classes involved in the project.

§ 162.13 *Review of applications by State educational agencies and State advisory councils*

Comment. A commenter suggested that, if the State educational agency does not approve an application (§ 162.13) by the cut-off date established by the Commissioner, a waiver of the State educational agency's opportunity to approve or disapprove that application be established. Representatives of the State educational agencies expressed strong concerns that, under the proposed regulation, substantial time and effort would be required by the SEA and its advisory council in receiving applications and designating priorities among them without any firm indication that the priority rankings would affect funding decisions by the Office of Education. Therefore, according to SEA representatives, the only clear input that the SEA and its advisory council would have on funding decisions would be a negative one, i.e., to disapprove an application.

Response. The authorizing statute requires State approval of an application, and the Commissioner would be without authority to approve an application unless the appropriate SEA had first approved it. Therefore, the Commissioner could not fund an application on the basis that the SEA had not acted on an application by a specified cut-off date. On the other hand, § 162.13(c) does provide that the Commissioner may establish a cut-off date for SEA approvals, and failure by the State to approve an application by the cut-off date will be deemed a disapproval of the application by the SEA, and the application will not be considered for funding by the Commissioner. This provision is consistent with the statutory approval authority of the SEA and is necessary to carry out a competitive review of applications within funding cycle time constraints.

With respect to the concerns raised by the SEAs, Part A of Title VII vests in the U.S. Commissioner of Education authority to make direct project grant awards, and the Commissioner is without legal authority to delegate the making of award decisions to an SEA or its advisory council. At the same time, in making funding decisions, the Commissioner would certainly be authorized to consider and give weight to rankings of applications by the State advisory council pursuant to the statute.

The proposed program regulation had provided that applications for Part A

grants would be evaluated on the basis of evaluation criteria set forth in proposed 45 CFR 162.14, in addition to the rankings designated by the State advisory councils, without specifying what weight would be accorded the State advisory council rankings, or how they would relate to the point structure established for the evaluation criteria (proposed 45 CFR 162.14).

In response to the SEA concerns, the regulation has been changed to add provisions to § 162.14 which indicate that application rankings by the State advisory council will count for a possible 50 points out of a total possible 195 points for all evaluation criteria (including the State rankings) with respect to elementary level projects, and 230 points with respect to preelementary level projects. With this amendment, a very high State advisory council ranking would very measurably increase an application's chances for being funded by the Commissioner.

Together with this change in the regulation, § 162.13(e) has been amended to urge SEAs very strongly not to approve more than ten applications under this subpart. Given the weighting for State advisory council rankings and the statutory provisions requiring the Commissioner, to the maximum extent feasible, to assure an equitable distribution of funds throughout the United States and prohibiting the Commissioner from expending more than 12½ percent of funds expended under this subpart in a given State (as reflected in § 162.15), applications which were not ranked within the top ten applications within a State would not likely have a realistic chance to be funded. If the States are selective in the number of applications approved, it should make possible a more intensive, higher quality evaluation of applications at the Federal level.

Comment. A commenter suggested that the Commissioner should notify the State educational agency of the approval of all projects within its State.

Response. The Commissioner does intend to notify the SEAs of projects approved within their States, but does not believe that a regulation requirement would be appropriate.

Comment. A commenter suggested that administrative monies be provided to the State educational agency so that it can carry out the tasks required of it by § 162.13 of the regulation.

Response. Section 3 of Pub. L. 94-194 authorizes the Commissioner to pay to each State educational agency the amount necessary to meet the costs of carrying out its responsibilities described in § 162.13 of the regulation. The law provides that such an amount may not exceed one percent of the total amount of grants made under Subpart B of the regulation in that State. No regulations would seem to be needed on this amendment to the statute.

§ 162.14 *Evaluation criteria*

Comment. Two commenters suggested, with respect to § 162.14(b)(3)(v), that evaluation of childrens' growth in the project be done not by standardized norm-referenced test scores, but by criterion-referenced tests which evaluate the child at the beginning of the program and at the end of the program.

Response. No change has been made in the regulation. The regulation provides latitude to local program staff to choose the particular measurement ways which meet the needs of their students.

Comment. One commenter suggested deletion of the phrase "and instruction different from that offered in the classroom" in § 162.14(b)(2)(vi), and the addition of the phrase "is necessary because the childrens' instructional needs cannot be met in the regular classroom."

Response. The regulation has been changed in accordance with the comment. The regulation now more clearly states the intent of the provision that the supplemental instruction outside the classroom should reinforce the instruction given within the classroom.

Comment. A commenter suggested that definitions be given for norm-referenced measurement and criterion-referenced measurement (§ 162.14(b)(5)(v)).

Response. No change has been made in the regulation. Since these terms are not used in a prescriptive or mandatory fashion, there is no need for a regulatory definition. Generally, norm-referenced measurement would involve comparing a child's achievement against norms for groups of children expressed in terms such as age or grade levels, whereas criterion referenced measurement would permit an assessment of a child's achievement in terms of specific criteria designed for that child in terms of the child's own reading needs and skills.

Comment. A commenter suggested that the provision in § 162.14(b)(6)(ii), concerning "a knowledge of the history and culture" associated with the language of children of limited English-speaking ability be deleted from consideration of the bilingual education methods or techniques in a proposed project.

Response. No change has been made in the regulation. The provision cited by the commenter is neither a requirement nor a firm criterion for judging applications. It is merely one example of considerations which may enter into the Commissioner's judgment of how many points to assign each application for the criterion of high quality in the project with respect to appropriate use of bilingual education methods and techniques, which counts for a potential total of five points out of a total of 195 points for elementary school projects or 230 points for pre-elementary school projects. Where use of bilingual education methods and techniques is appropriate in a project (i.e., where the project serves a population including children of limited English-speaking ability), it would seem that the cited provision would be one indication of the quality of the bilingual education methods and techniques.

§ 162.17 *Duration of projects*

Comment. One commenter suggested the duration of the project (§ 162.17(a)) be extended to include a third possible continuation year.

Response. No change has been made in the regulation. Two years' time would seem an adequate period of time for the establishment or improvement of appropriate reading programs under this subpart. Given a limited period of authorization and limited funds for the program, the Office of Education feels that tying up program funds on a noncompetitive basis for a longer period of time would not be in the best interests of the statutory purpose.

§ 162.18 *Size of awards; allowable costs*

Comment. A commenter recommended that the suggested $15 base figure per student involved in the project be deleted. The $15 base figure would involve an unrealistically high number of students to be served with too small an amount of money.

Response. The comment has been adopted, with an amendment indicating the bases on which the size of awards will be determined.

Other comments

Comment. One commenter suggested that the regulation should be shortened to reduce the burden on applicants.

Response. No change has been made in the regulation. The length of Subpart B of the regulation derives directly from the long list of program requirements set forth in the authorizing statute (section 705 (b), (c), (d), and (e) of Pub. L. 93-380). The statutory requirements account directly for the length of the requirements section of the regulation (§ 162.12) and are primarily responsible for the length of the evaluation criteria section (§ 162.14) which contains many criteria measuring the quality of the project in meeting the specific requirements in § 162.12. Another factor which accounts for the length of the criteria section is the provision under § 162.14(b) of examples of considerations which may enter into the Commissioner's judgment of how many points to assign particular criteria for each application. These examples are introduced by the language "as measured by factors such as whether." These examples are not requirements or hard and fast criteria, but they give additional guidance to applicants as to some of the kinds of factors which might but need not be addressed in the application to receive the maximum number of points under each respective criterion.

Comment. One commenter suggested that the term "project schools" and "school projects" be further defined.

Response. The term "project schools" is used under Subpart D to distinguish project schools from control schools for purposes of the evaluation authorized under that subpart. A definition of "project schools" has been added to § 162.36 to clarify this. The term "school projects" is used in Subpart B merely to refer to projects in schools.

SUBPART C—STATE READING IMPROVEMENT PROGRAMS

§ 162.25 *Scope and purpose*

Comment. One commenter suggested that the purpose description with reference to training of reading personnel

and specialists include express reference to training for reading paraprofessionals.

Response. The regulation has been changed in accordance with the comment.

SUBPART D—SPECIAL EMPHASIS PROJECTS

§ 162.38 *Definitions*

Comment. One commenter asked for a clarification of the term "project school."

Response. A definition has been added for "project school" as used in this subpart ("the individual school site where the Special Emphasis Project will be implemented").

§ 162.39 *Review and certification by State educational agencies*

Comment. A commenter stated that to allow persons who are not trained in reading to participate as reading teachers in the Special Emphasis Program would decrease the impact of the program.

Response. No change has been made in the regulation. The authorizing law states that regular classroom teachers who are enrolled in a reading teacher program may be used in lieu of a reading teacher if reading teachers are not available to the local educational agency. However, under the funding criteria, projects which propose to utilize solely reading specialists and reading teachers can receive extra points and will, therefore, have a better chance for funding (§ 162.41(c)).

§ 162.40 *Application requirements*

Comment. One comment asked that instruction in utilizing reading skills in the content areas be required.

Response. No change has been made. The suggested requirement is not needed to carry out the purposes of this program. The content of the reading program is best left to the judgment of the local educational agency.

Comment. One commenter asked that the rules specify the types of diagnostic testing and achievement testing required in § 162.40(b)(2)(iii) and (vii).

Response. No change has been made. The decision whether to use standardized tests, criterion-referenced tests, or informal reading inventories is best left to the discretion of the individual local educational agency. However, specific achievement tests or other evaluation instruments may be required pursuant to § 162.38(b) in order to permit an evaluation by the Commissioner or by a contractor selected by the Commissioner of the effectiveness of intensive instruction by reading specialists and reading teachers.

Comment. One commenter recommended that the rules specify the form and manner in which to publish test results by grade level and school under §162.40 (b)(2)(vii)(A). Another commenter suggested that notices concerning the project and test results should be published as public notices in local newspapers.

Response. No change has been made. The Office of Education believes that the local educational agency is in the best position to judge how best to communicate with its community, and thus the rules do not specify how this should be accomplished.

Comment. One commenter stated that the Special Emphasis Program legislation did not require the establishment of a control school and requested that the rules permit the use of classes in several schools as controls.

Response. No change has been made in the regulation. The purpose of the authorizing statute for Special Emphasis Projects is to determine the effectiveness of intensive instruction by reading specialists and reading teachers. To carry out this purpose, the Office of Education deems it necessary to establish a control situation (not including instruction by reading specialists and reading teachers) which parallels as closely as possible the project situation in which reading specialists and reading teachers are used. The authorizing statute requires each project to provide for teaching by a reading specialist for all children in the first and second grades of *an elementary school* and the teaching of reading by a reading specialist for elementary school children in grades three through six who have reading problems (Sec. 721(a)(1) of Pub. L. 93-380). The statute thus ties the project to a specific elementary school. While it would be theoretically possible to have classes in different schools as control groups, to do so might introduce new variables into the control situation and would threaten to vitiate the testing design. Therefore, a control school is required, and the regulation requires project schools and control schools to be comparable in material respects (§ 162.40 (a)(5) and (6)).

SUBPART E—READING ACADEMY PROGRAM

§ 162.50 *Scope and purpose*

Comment. Two commenters objected to the exclusion of secondary school programs from eligibility for funding consideration, while another urged that the program permit participation by adults enrolled in institutions of higher education who are in need of reading instruction. Another commenter seemed to interpret the proposed regulation as excluding adults of a certain age from participation.

Response. The regulation has been amended, in § 162.50, to allow for participation of in-school youths and adults who do not otherwise receive reading assistance and instruction. The proposed regulation had limited participation in projects to out-of-school youths and adults based upon the statutory provision that reading assistance and instruction would be for youths and adults "who do not otherwise receive such assistance and instruction." Since publication of the proposed rules, the authorizing statute has been amended by Pub. L. 94-194 to provide expressly for participation by "in-school as well as out-of-school" youths and adults, and the final regulation is therefore modified to reflect this statutory amendment.

At the same time, it must be noted that the statute continues to describe projects as being for youths and adults "who do not otherwise receive" reading assistance and instruction. Furthermore, legislative history related to the amendment authorizing reading assistance and instruction for in-school youths and adults reflects congressional intent that the amendment was not to be a basis for establishing a school system to duplicate that already in existence, and that the authority to allow participation by school students should be used only in situations where it is specifically warranted. (H.R. Rep. No. 720, 94th Cong., 1st Sess. 6-7 (1975); Statement of Representative Quie, 121 Cong. Rec. H. 13055, daily ed., December 19, 1975.)

In accordance with this legislative history, § 160.50(b) has been amended to provide that activities funded under this subpart:

(a) Must not duplicate or supplant reading programs available in public or private elementary or secondary schools, postsecondary school institutions, or other agencies or institutions;

(b) Must be designed for both youths and adults who do not otherwise receive reading assistance and instruction and who elect to participate in project activities on a voluntary basis; and

(c) May not be designed primarily to serve in-school youths and adults.

While a public or private elementary or secondary school or institution of higher education would be eligible under this subpart to receive an award as a reading academy prepared to serve both youths and adults in the community, it could not, under these provisions, apply for a grant under which it would only serve students enrolled in the regular school curriculum. In addition, a prospective academy could not propose activities to serve in-school youths and adults who have reading assistance and instructional activities available to them (whether or not these activities are different in approach from those proposed for the reading academy). Section 162 (a)(5) has also been added to the regulation to require applications to provide information satisfying the Commissioner that these provisions will be met.

Adults of particular ages are not excluded from participation in funded activities.

Comment. One commenter suggested that the regulation be revised to include as participants children, youths, and adults in correctional institutions, and that guidelines be tailored specifically to this population.

Response. No change has been made. Youths and adults in correctional institutions are not excluded as participants. The regulations which are provided are intended to be general enough so that the establishment of an academy in a variety of settings, including correctional institutions, is possible.

§ 162.51 *Definitions*

Comment. A commenter suggested that the definition of "adult" be modified to be consistent with a definition used by other

programs in the U.S. Office of Education (that "adult" be defined to mean "an individual who either assumes the roles and functions of a responsible and mature member of society or has reached the chronological age of adulthood specified by law").

Response. No change has been made. The purpose of the definition is to make clear the distinction between "adult" and "youth" as they appear in the governing legislation. The definition suggested by the commenter would not serve this purpose. Under § 162.50(b)(2)(ii) and other provisions of the regulation, academies must provide services to both youths and adults.

§ 162.52 *Application requirements*

Comment. One commenter suggested that § 162.52(a)(1) be amended to clarify that projects must be designed to eliminate functional illiteracy "through the increase or improvement of reading skills," rather than through other possible approaches.

Response. The suggested change is considered unnecessary to carry out the commenter's concern. "Functional illiteracy" is defined in § 162.51 with reference to reading skills, so that activities to eliminate functional illiteracy would by definition include an improvement of reading skills.

Comment. A commenter recommended that § 162.52(c)(4)(i) be modified to allow for small group instruction as well as one-to-one instruction.

Response. The comment is adopted. Either individualized or small-group instruction (or both) could be utilized by the grantee.

Comment. A commenter recommended that cooperative agreements between applicants and State and local adult education organizations be considered.

Response. An amendment has been made to § 162.52(c)(6) in accordance with the comment.

Comment. One commenter expressed the viewpoint that other subparts of this regulation place more emphasis on comprehensive planning and needs assessment and recommended that this subpart be revised accordingly.

Response. No change in the regulation has been made. Planning is very heavily emphasized in the State Leadership and Training activity under Subpart F of the final regulation and under Subpart A, with respect to reading improvement projects. However, planning and needs assessment activities are also emphasized in §§ 162.52(a), (c)(1), (2) and (9) and 162.53(b) of the regulation and in the guidelines (Appendix B, Chapter II Part 2). It is deemed inappropriate to impose additional requirements with respect to these project elements.

Comment One commenter suggested a number of specific changes in the regulation to authorize development of a psycholinguistic approach to reading which would reach the target population in their own homes through use of prime time commercial television. The commenter expressed the viewpoint that formalized, institutional programs were too threatening to the target population, whereas television permitted anonymous participation by home-viewers.

Response. The suggested changes have not been made in the regulation. The statutory provision which authorizes the Reading Academy Program, section 723 of Pub. L. 93-380, provides that "reading assistance and instruction will be provided in appropriate facilities to be known as 'reading academies.'" This language would not appear to authorize the development of television activities to reach adults and youths in their own homes (cf. section 722 of Pub. L. 93-380, which expressly authorized the development and distribution of television courses for elementary school teachers). Television, as well as other media and materials, could be used for reading instruction in reading academies, but the focus of the grant would be on the development and carrying out of the reading academy program. The development of particular media or materials could be an incidental but not a central aspect of the project. While the type of project outlined by the commenter would be beyond the scope of the Reading Academy Program, it is possible that it could be considered for funding as a national impact reading program under section 725 of Pub. L. 93-380. The project could be submitted as an unsolicited proposal seeking support under Section 725.

The comments on the difficulty of recruiting and retaining partially illiterate youths and adults are well-taken. These problems are addressed in sections 3.1-4.2 of the guidelines set forth as Appendix B to this part.

§ 162.54 *Allowable costs*

Comment. One commenter questioned why this program is expected to provide "good quality, individualized instruction at the lowest possible cost," interpreting this to signify a low priority on the elimination of adult illiteracy. The commenter also objected to the use of volunteers in any but the most minor elements of the program, stating that, "highly skilled reading specialists" are necessary as teachers for this particular population.

Response. The regulation provision on cost which is quoted by the commenter is intended only to emphasize the determination to secure the greatest return for funds expended and to fund projects which are replicable without substantial Federal investments. It does not denote a low priority on adult literacy.

The experience of the Office of Education in funding reading projects for youths and adults under the former Right-to-Read Community Based Program and under the Academy Program indicates that volunteer tutors, if they are properly selected, trained, supervised, and directed, can be a highly effective aspect of reading projects for youths and adults. In this connection, the evaluation criteria in the proposed and final regulation attach a substantial number of points to the applicant's plans for providing appropriate supportive services to tutors or other instructional personnel (§ 162.53(d)(6)), and guidelines at Appendix B to the regulation give considerable guidance to applicants and grantees respecting appropriate use, training, and supervision of volunteer tutors (Appendix B, Chapter II, Section 6.2; Chapter III). It must also be noted that the use of volunteer tutors is not required by the regulation, but is merely proffered as one possible low-cost approach to providing reading instruction to illiterate youths and adults (§ 162.53(c)).

APPENDIX B—MANUAL OF GUIDELINES FOR THE READING ACADEMY PROGRAM

Comment. One commenter recommended that the guidelines for the Reading Academy Program include suggestion for "follow-up" of participants.

Response. No change has been made in the regulation or guideline. The Office of Education agrees that follow-up of participants following their completion of or departure from a project is desirable and encourages grantees to undertake such a follow-up. However, it is not deemed necessary to regulate on this matter at the Federal level, and it follows that there is no need for a guideline on the subject. The Office of Education would hope to explore what kinds of technical assistance might be provided to grantees in connection with possible follow-up activities.

Comment. A commenter recommended that dissemination procedures be suggested in the model of the results and findings of Academy centers and satellites.

Response. No change has been made. Dissemination of the results of a project is an important aspect of the Academy Program, but will be supervised by the Office of Education. In monitoring the programs, the Office will seek to identify especially successful approaches which warrant dissemination.

C. OTHER CHANGES

1. Subpart F has been added to implement section 1 of Pub. L. 94-194.

2. References have been added for Pub. L. 94-194, which amends the National Reading Improvement Program.

3. Definitions have been added in § 162.1 for "bilingual education" and "limited English-speaking ability" which derive from section 703 of the Bilingual Education Act.

4. Additional definitions have been added in § 162.1 for "high percentage" with reference to a "high percentage of children with reading deficiencies," as used in §§ 162.10 and 162.11, and "appropriate" with respect to the project objective that children read at the "appropriate grade level at the end of grade three." (§ 162.12(a)(1)).

5. Provisions for waiver of requirements related to training and community involvement in project planning and development in Subparts B and D have been added to reflect Section 2(a) of Pub. L. 94-194.

6. Section 162.13(d)(2)(iii) has been deleted in conformance with Section 2(d) of Pub. L. 94-194.

7. Sections 162.17, 162.44, and 162.56 have been amended in order to clarify

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and make uniform the regulatory provisions on duration of projects and continuation awards for the various programs.

8. The number of points weighted for the criterion in § 162.41(b)(5) inadvertently not printed in the proposed regulation has been added in Subpart D.

9. Also in Subpart D, § 162.44 has been redrafted to provide for continuation awards on a non-competitive basis and to clarify the section.

10. Other typographical and technical changes have been made.

D. WAIVER OF RULEMAKING FOR STATUTORY CHANGES

In accordance with section 431(b)(2)(A) of the General Education Provisions Act, it is the practice of the Office of Education to provide opportunity for interested parties to take part in its rulemaking process, and this practice has been followed with respect to the preponderance of provisions in this notice. However, with respect to subpart F of this regulation, concerning the State leadership and training program, and amendments to Subpart E concerning participation of in-school youths and adults in the Reading Academy Program, particularly § 162.50(b)(2), opportunity for public comment has not been provided based upon:

(1) The Commissioner's finding, with respect to Subpart F, in accordance with 5 U.S.C. 553(b)(3)(B), that opportunity for public comment on these provisions would be impracticable and contrary to the public interest in view of the time constraints which dictate publication of a final rule at this time. Such a finding is premised on the reasons set forth in the following paragraph, and

(2) The fact that § 162.50(b)(2) (and conforming amendments to Subpart E) constitutes an interpretative rule not subject to rulemaking procedures under 5 U.S.C. 553(b)(3)(A).

Subpart F. The regulation provisions for which opportunity for public comment is not being provided implement statutory amendments enacted December 31, 1975 (Pub. L. 94-194). The statutory amendments authorizing the State leadership program (section 1 of Pub. L. 94-194) were designed to continue a program conducted during Fiscal Years 1972, 1973, 1974, and 1975 by the Office of Education under the Cooperative Research Act (20 U.S.C. 331a). Thirty-one grants made to State educational agencies in FY 1975 under the program expired February 28, 1976, and the other twenty grants made to SEAs with FY 1975 Cooperative Research Act funds under the program expire June 30, 1976. Although many of the grants which expired February 28 have been extended to allow grantees to incur obligations under the grant until September 30, 1976, this extension will not sustain many of these projects, which have expended most or all of their authorized grant funds. Unless new awards are promptly made to these States (and to the twenty States whose grants expire June 30, 1976), grantees will not be able to maintain the continuity of these projects or to continue to employ their project staffs.

Congress enacted a special provision to authorize the expenditure of already appropriated FY 1976 funds for these projects (Section 1 (a) of Pub. L. 94-194), and the enactment was greatly expedited based upon a congressional concern that the continuity of these programs be maintained (see, for example, statements on the floors of the House and Senate, respectively, by Rep. Quie, 121 Cong. Rec. H. 12509, December 15, 1975; Rep. Perkins, 121 Cong. Rec. H. 12507-8, December 15, 1975; and Senator Beall, 121 Cong. Rec. S. 22544, December 17, 1975).

Under section 431(d) of the General Education Provisions Act, a regulation cannot take effect until forty-five days after the final regulation has been transmitted for congressional review. Therefore, if a proposed regulation were issued at this time for the State leadership activity, it would have to be followed by a thirty-day comment period, an additional period for having the final regulation prepared and cleared within the Department of Health, Education, and Welfare, and then the forty-five day congressional review period before grant awards could be made, if the awards were to be made on the basis of the regulation. This delay in making awards would undermine the very projects which the program is designed to support.

An additional consideration with respect to the State leadership program is that final regulations were issued for the program on May 8, 1975 (40 FR 20084) following publication of a proposed regulation on December 27, 1974 (39 FR 44774) with an opportunity for public comment, both at a public hearing and in the form of written submissions. The May 1975 regulations were premised upon the Cooperative Research Act (20 U.S.C. 331a). Only two public comments were received on the proposed regulation, and neither raised substantive issues with respect to the regulation. Subpart F of this notice follows very closely the regulation adopted May 8, 1975 pursuant to the rulemaking process, consistent with congressional enactment of a specific statutory authorization (section 1 of Pub. L. 94-194) which parallels the administratively fashioned authorization (under the broad terms of the Cooperative Research Act) in the May 8, 1975 regulation and with congressional intent that the existing program under the May 8, 1975 regulation be maintained (see above-cited statements by Reps. Quie and Perkins and Senator Beall). For these reasons, proposed rulemaking procedures for Subpart F are impracticable and contrary to the public interest.

Subpart E. As indicated above, the amendments to Subpart E, particularly § 162.50(b)(2), constitute an interpretative rule not subject to rulemaking procedures. They interpret the effect and intent of section 5 of Pub. L. 94-194, which makes in-school youths and adults eligible for participation in Reading Academy Programs. The original closing date for new applications for FY 1976 funding under this activity was February 6, as published in the December 18, 1975 FEDERAL REGISTER (40 FR 58338). Subsequently, a notice of statutory change and interpretation (concerning the subject amendment), with the new closing dates for both new and continuation applications was published in the FEDERAL REGISTER on March 22, 1976 (41 FR 11842). Section 162.50(b)(2) implements, within the final regulation, the March 22, 1976 notice of statutory interpretation.

E. *Effective date.* Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232 (d)), this regulation has been transmitted to the Congress concurrently with its publication in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission (July 12, 1976), subject to the provisions thereof concerning congressional action and adjournment.

(Catalog of Federal Domestic Assistance Number 13.533, Right to Read Elimination of Illiteracy)

Dated: April 15, 1976.

T. H. BELL,
U.S. Commissioner of Education.

Approved: May 19, 1976.

DAVID MATHEWS,
Secretary of Health, Education, and Welfare.

Chapter I, Title 45 of the Code of Federal Regulations is amended by adding a Part 162 as follows:

Subpart A—General

Sec.
162.1 Scope and purposes.
162.2 Definitions.
162.3-162.9 [Reserved]

Subpart B—Reading Improvement Projects

162.10 Scope and purpose.
162.11 Eligible applicants; nature of projects.
162.12 Application requirements.
162.13 Review of applications by State educational agencies and State advisory councils.
162.14 Evaluation criteria.
162.15 Equitable geographic distribution.
162.16 [Reserved]
162.17 Duration of projects.
162.18 Size of awards; allowable costs.
162.19-162.24 [Reserved]

Subpart C—State Reading Improvement Programs

162.25 Scope and purpose.
162.26 Allotments; reallotments.
162.27 Standard of excellence.
162.28 [Reserved]
162.29 Judicial review.
162.30-162.34 [Reserved]

Subpart D—Special Emphasis Projects

162.35 Scope and purpose.
162.36 Definitions.
162.37 Eligibility; number of applications.
162.38 Nature of projects.
162.39 Review and certification by State educational agencies.
162.40 Application requirements.
162.41 Evaluation criteria.
162.42 District-wide project award.
162.43 [Reserved]

Sec.
162.46 Duration of projects.
162.48 Size of awards; allowable costs.
162.46–162.49 [Reserved]

Subpart E—Reading Academy Program

162.50 Scope and purpose.
162.51 Definitions.
162.52 Application requirements.
162.53 Evaluation criteria.
162.54 Allowable costs.
162.55 Project duration.

Subpart F—State Leadership and Training Projects

162.60 Scope and purpose.
162.61 Nature of projects, funding requirements.
162.62 Evaluation criteria.
162.63 Project duration.
162.64 Allowable costs.

APPENDIX A—Part B of title VII of Pub. L. [illegible].

APPENDIX B—Manual of Guidelines for the Reading Academy Program.

AUTHORITY: Title VII of Pub. L. 93-380, as amended by Pub. L. 94-194 (20 U.S.C. 1901-1921).

Subpart A—General

§ 162.1 Scope and purposes.

(a) *Scope.* This part applies to projects assisted with funds appropriated pursuant to the National Reading Improvement Program, title VII of Pub. L. 93-380, as amended by Pub. L. 94-194;

(b) *Purposes.* The purposes of the programs carried out pursuant to this part are, through grants and contracts to State and local educational agencies and other non-profit organizations, to:

(1) Provide financial assistance to encourage State and local educational agencies to undertake projects to strengthen reading instructional programs in elementary grades;

(2) Provide financial assistance for the development and enhancement of necessary skills of instructional and other educational staff for reading programs;

(3) Develop a means by which measurable objectives for reading programs can be established and progress toward these objectives assessed;

(4) Develop the capacity of preelementary school children for reading;

(5) Establish and improve preelementary school programs in language arts and reading; and

(6) Provide financial assistance to promote literacy among youths and adults.

(c) *Other pertinent regulations.* Awards under this part are subject to applicable provisions contained in Subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters, 45 CFR Parts 100, 100a, 100b).

(20 U.S.C. 1901)

§ 162.2 Definitions.

As used in this part:

"Act" means title VII of the Education Amendments of 1974, Pub. L. 93-380, as amended by Pub. L. 94-194.

"Appropriate" when applied to "grade level" means commensurate with the individual student's age and ability.

"Elementary school" means a day or residential school which provides elementary education, as determined under State law.

"Bilingual education" means instruction designed for children of limited English-speaking ability including instruction:

(a) In and study of English and, to the extent necessary to allow a child to progress effectively through the educational system, the native language of the children of limited English-speaking ability; and

(b) Which is given with appreciation for the cultural heritage of such children.

"Commissioner" means the U.S. Commissioner of Education.

"Innovative" means a program element which is new and different to participants in project activities.

"Institution of higher education" means an institution of higher education in any State as defined under the Higher Education Act of 1965, as amended.

(20 U.S.C. 1141)

"Limited English-speaking ability," when used with reference to an individual, means an individual who:

(a)(1) Was not born in the United States or whose native language is a language other than English; or

(2) Comes from an environment where a language other than English is dominant; and

(b) As a result of paragraph (a)(1) or (2) above, has difficulty speaking and understanding instruction in the English language.

"Local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or a combination of school districts or counties recognized in a State as an administrative agency for its public elementary or secondary schools. The term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

"Non-profit educational or child care institution" means any public or private non-profit organization which sponsors a regular, on-going educational or child care program for preschool age children.

"Reading deficiencies" means that reading achievement is less than that which would normally be expected for children of comparable ages or comparable grades of school; for children in grades 2-6 this would mean one or more years below appropriate grade level in reading as estimated by standardized tests and/or informal testing.

"High percentage," when applied to "of children with reading deficiencies," means 50 percent or more of the students in grades 2 through 6 in project schools or project classes are reading one or more years below appropriate grade level.

"Project" means those activities of a grantee or contractor which the Commissioner determines to be eligible for Federal financial assistance.

"Reading-related activities" means any activities directly or indirectly connected with skills and/or behaviors in the area of reading: for example, listening, speaking, writing activities, reading games, discussing illustrations, classifying and categorizing, and developing auditory and visual perceptual skills.

(20 U.S.C. 1901 and 1921)

"State" means, except as used in Subpart C, the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands. As used in Subpart C, "State" means the several States of the Union, the District of Columbia, and the Commonwealth of Puerto Rico.

(20 U.S.C. 1942(a)(2))

"State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools or, if there is no such office or agency, an officer or agency designated by the Governor or by State law.

(20 U.S.C. 1901 and 1921)

§ 162.3–162.9 [Reserved]

Subpart B—Reading Improvement Projects

§ 162.10 Scope and purpose.

(a) *Scope.* This subpart applies to projects assisted with funds appropriated to carry out part A, section 705 of title VII of Pub. L. 93-380, as amended by Pub. L. 94-194;

(20 U.S.C. 1921)

(b) *Purpose.* The purpose of the program carried out pursuant to this subpart is, through grants to eligible recipients, to support:

(1) Projects to strengthen reading instructional programs in elementary school(s) having large numbers or a high percentage of children with reading deficiencies; and

(2) Projects to establish and improve programs in language arts and reading in preelementary school(s), in areas where there are large numbers or a high percentage of elementary school children with reading deficiencies, and to develop the capacity of preelementary school children for reading.

(20 U.S.C. 1921(a))

§ 162.11 Eligible applicants; nature of projects.

(a) *Eligible applicants.* (1) As stated in section 705 of the Act, local educational agencies, State educational agencies, or both, may apply for elementary school projects described in paragraph (b)(1)(i) of this section and for preelementary school projects described in paragraph (b)(1)(ii) of this section. In addition, non-profit educational or child

care institutions may apply for the preelementary school projects;

(3) Though multiple applications may be submitted by a single applicant, in no case will more than one grant for an elementary school project and one grant for a preelementary school project be awarded to the same applicant;

(b) *Nature of projects.* (1) Two types of grants will be awarded pursuant to this subpart:

(i) Projects to carry out in elementary school(s) having large numbers or a high percentage of children with reading deficiencies, programs involving the use of innovative methods, systems, materials, or other elements which show promise of overcoming the reading deficiencies; and

(ii) Projects to carry out in kindergarten(s), nursery school(s), child care institution(s), or other preschool institution(s) ((in areas where elementary schools having large numbers or a high percentage of children with reading deficiencies are located), programs involving the use of innovative methods, systems, materials, or other elements which show promise of developing the capacity for reading of preelementary school children who might otherwise develop reading deficiencies;

(2) (i) Applications for elementary school projects under paragraph (b) (1) (i) of this section which propose to carry out reading activities in elementary schools for children above the kindergarten level may involve children in any or all grades within the elementary schools, including children at the kindergarten level;

(ii) Applications which do not propose to carry out activities for children above the kindergarten level shall be reviewed as preelementary school projects;

(3) Projects assisted pursuant to this subpart must be designed to establish, to expand, or to improve the reading programs in one or more specific and identified elementary or preelementary schools;

(20 U.S.C. 1921(a), S. Rep. No. 763, 93d Cong. 2d Sess. 135 (1974))

(4) (i) Reading program activities and services assisted under the project must be directly administered by, or under the supervision of, the grantee;

(ii) Grantees may not use any Federal funds awarded pursuant to this subpart to award subgrants to other entities or persons;

(iii) Grantees may, with Federal funds awarded pursuant to this subpart, enter into contracts with other entities or persons to secure services which will assist them in carrying out a portion of the program activities, as provided in § 100a.30 of this chapter, subject to the conditions set forth in § 100a.30 of this chapter which prohibit transfer of responsibility (or conduit arrangements) by the grantee and require a statement of intention to enter into a service contract in the approved application or an approved amendment thereto; and

(iv) In accordance with paragraphs (b) (4) (i) and (ii) of this section, State educational agencies may receive grants under this subpart only if they will directly administer or supervise reading programs to be assisted by the project in cases where the State educational agency:

(A) Is directly responsible for operating an elementary or preelementary school;

(B) Applies jointly with a local educational agency or other eligible applicant responsible for administering an elementary or preelementary school, pursuant to § 100a.19 of this chapter (General Provisions Regulations for Office of Education programs; 45 CFR 100a.19); or

(C) Under arrangements with a local educational agency or other eligible applicant, assumes responsibility for reading activities to be assisted by the project in schools administered by the local educational agency or other eligible applicant.

(20 U.S.C. 1921(a), (b), and (c); 1221c(b)(1), 1332c(b)(1))

§ 162.12 Application requirements.

The Commissioner will award a grant to a State educational agency, local educational agency, or other eligible applicant under this subpart only upon an application submitted to the Commissioner which meets the following requirements:

(a) *Project objectives.* The application must set forth:

(1) Specific and measurable objectives related to overcoming reading deficiencies of children in the project school(s) including (only with respect to elementary school projects described in § 162.11 (b) (1) (i)) a plan for having the children in project schools reading at the appropriate grade level at the end of grade three;

(2) A proposed time frame for accomplishing these objectives; and

(3) An evaluation component providing for the collection, verification, and analysis of data to measure the extent to which the objectives are accomplished by the project;

(20 U.S.C. 1921(a), (b), (c)(3))

(b) *Project school(s).* (1) The application must identify the school(s) and the class(es) to be served by the project and provide information on how the school(s) and class(es) were selected for the project, the numbers and percentages of children in the project school(s) with reading deficiencies, and the nature of reading deficiencies of those children, including (only with respect to elementary school projects described in § 162.11 (b) (1) (i)) documentation that appropriate measures have already been taken by the applicant to analyze the reasons why elementary school children are not reading at the appropriate grade levels;

(2) The application must provide demographic information on children in the school(s) to be served by the project, including information on the socio-economic, racial, ethnic, language and cultural composition of the school(s); and

(3) The application must:

(i) Provide information on existing reading programs and activities in the project school(s), including information on the resources and methods used to teach reading or reading-related activities to children and the extent of effectiveness of those resources and methods; and

(ii) Explain how the proposed project will improve or expand upon the existing reading activities and programs, including a description of innovative methods, systems, materials, or other elements which will be used in the project to overcome reading deficiencies;

(20 U.S.C. 1921(a), (b), (c)(1))

(c) *Program requirements.* The Commissioner will award a grant under this subpart only upon an application submitted to the Commissioner which meets the requirements in paragraphs (a) and (b) of this section, as applicable, and which sets forth a reading program which includes the following elements, as applicable:

(1) *All applications.* All applications under this subpart must:

(i) (A) Document that there has been participation in the planning and development of the program described in the application by (1) parents of children to be served by the program, (2) the policymaking board of the applicant, and (3) leaders of the cultural and educational resources of the area to be served, including representatives of such organizations as institutions of higher education, non-profit private schools, public and private non-profit agencies such as libraries, museums, educational radio and television organizations, and other cultural and educational resource agencies of the community, subject to the possibility that if the applicant believes it to be impracticable for reasons such as the small size of the project for the project to meet the requirement under this subdivision (3), the application must document to the Commissioner's satisfaction the reasons why the requirement is impracticable, and the Commissioner may then waive the requirement;

(B) Include a description of procedures which have been used to provide the public at large in the area or areas proposed to be served by the project with an opportunity to have input in the planning of the program described in the application (such as through public notice and hearings); and

(C) Provide for the continuing participation of groups and representatives described under paragraph (c) (1) (i) (A) of this section in the development and implementation of the program described in the application;

(ii) Set forth a reading program which provides for:

(A) Diagnostic testing designed to identify children with reading deficiencies, including the identification of conditions which, without appropriate other treatment, can be expected to impede or prevent children from learning to read;

(B) Planning and establishing comprehensive reading programs in project schools;

(C) Preservice training programs for project teaching personnel, including teacher aides and other ancillary educational personnel, within the project schools, and inservice training and development programs, where feasible, designed to enable these personnel to improve their ability to teach students to read, subject to the possibility that, if the applicant believes it to be impracticable for reasons such as the small size of the project for the project to meet this requirement, the application must document to the Commissioner's satisfaction the reasons why the requirement is impracticable, and the Commissioner may then waive the requirement;

(D) Participation of the school faculty, the policy-making board of the applicant, members of the school administration, parents, and students in reading-related activities which stimulate an interest in reading and are conducive to the improvement of reading skills;

(E) With respect to tests of reading achievement administered pursuant to paragraph (c)(2)(i)(B) of this section:

(1) Publication of test results on reading achievement by grade level and, where appropriate, by school, without identification of individual children; and

(2) The availability of test results on reading achievement on an individual basis to parents and guardians of any child tested;

(F) Use of bilingual education methods and techniques consistent with the number of elementary school age children (or of preelementary school age children with respect to preelementary school projects under § 162.11(b)(1)(ii)) in the area served by a reading program who are of limited English-speaking ability; and

(G) Dissemination of information on the results of the program and of the means used to achieve the results to State educational agencies, local educational agencies, other educational agencies and institutions, and the Commissioner;

(2) *Elementary school projects.* (i) Applications under this subpart for elementary school programs under § 162.11(b)(1)(i) must set forth a reading program which, in addition to meeting the requirements in paragraph (c)(1) of this section, provides:

(A) Reading instruction focused upon elementary school children whose reading achievement is less than that normally expected for children of comparable ages or in comparable grades of school, but also instruction which provides for every child in classes involved in the project;

(B) Periodic testing for elementary school children on a sufficiently frequent basis to measure accurately reading achievement;

(C) Participation on an equitable basis by children enrolled in non-profit private elementary schools in the area to be served (after consultation with the appropriate private school officials) to an extent consistent with the number of such children whose educational needs are of the kind the program is intended to meet.

(ii) Applications must also: (A) Indicate the number of children enrolled in nonpublic schools who are expected to participate in each program and the manner of their expected participation; and

(B) Document that there has been participation in the planning and development of the program described in the application by officials representing non-profit private elementary schools in the area to be served with children whose educational needs are of the kind which the program is intended to meet, and document the kind of continuing participation by those officials there will be in the development and implementation of the program;

(3) *Preelementary school projects.* Applications for preelementary school programs under § 162.11(b)(1)(ii) must set forth a reading program which, in addition to meeting the requirements in paragraph (c)(1) of this section, provides:

(i) A test of reading proficiency at the conclusion, minimally, of the first-grade programs into which the preelementary school program is integrated for children who had previously participated in the preelementary school program;

(ii) Assessment, evaluation, and collection of information on individual children by teachers during each year of the preelementary program to be made available for teachers in the subsequent year, in order that continuity for the individual child be maintained; and

(iii) Whenever appropriate coordination with the reading programs of the educational agencies or institutions where the preelementary school children will be next in attendance, including any necessary arrangements by the applicant with those educational agencies or institutions for meeting the requirements relating to testing described in paragraph (c)(3)(i) of this section; and

(d) *Other information.* Applications may include other appropriate information to respond to criteria in § 162.14.

(20 U.S.C. 1921(b))

§ 162.13 Review of applications by State educational agencies and State advisory councils.

(a) The Commissioner will not approve an application submitted under this subpart unless the State educational agency has:

(1)(i) Established and appointed an advisory council on reading broadly representative of the educational resources and of the general population of the State, including but not limited to persons representative of:

(A) Public and private non-profit elementary and secondary schools;

(B) Institutions of higher education;

(C) Parents of elementary and secondary school children; and

(D) Areas of professional competence relating to instruction in reading; and

(ii) Authorized and provided the opportunity to the advisory council to receive and designate priorities among applications for grants under this subpart in that State; and

(2) First approved the application;

(20 U.S.C. 1921(d), (e)(1); S. Rep. No. 1026, 93d Cong. 2d Sess. 198 (1974))

(b) Applicants other than the State educational agency must provide a copy of their application to the State educational agency of the State in which they are located 15 days prior to the applicant's submission of the application to the Commissioner;

(c) The Commissioner may establish a cut-off date for approval of applications by the State educational agency. If the Commissioner establishes such a date, failure by the State educational agency to indicate its approval to the Commissioner within the period specified shall be deemed a disapproval of the application by the State educational agency, and the application will not be considered for funding by the Commissioner;

(d)(1) The State educational agency must inform the Commissioner, in writing, in accordance with any cut-off date established by the Commissioner under paragraph (c) of this section, of those applications within its State which it approves for funding under this subpart;

(20 U.S.C. 1921(e)(1))

(2) The State educational agency must include in its written submission to the Commissioner:

(i) Documentation that it has established and appointed an advisory council in accordance with paragraph (a)(1) of this section, including information on the membership of the council, and that the council has been provided with an opportunity to receive and designate priorities among applications for grants under this subpart in that State (including applications by the State educational agency);

(ii) Information on any priorities designated by the advisory council among applications for grants under this subpart in that State; and

(e) While there is no mandated limitation on the number of applications which may be approved by the State educational agency, State educational agencies are strongly urged to approve no more than ten applications and to forward to the Commissioner the rankings and copies of any written reviews of the applications.

(20 U.S.C. 1921 (d), (e)(2))

§ 162.14 Evaluation criteria.

Applications for grants under this part which meet all of the application requirements in § 162.12 and which are approved by the appropriate State educational agency will be evaluated by the Commissioner on the basis of the following criteria, weighted according to the indicated points, totaling 195 points for elementary projects and 230 points for preelementary projects, and the provisions of § 162.15 concerning equitable distribution of funds and State maximums:

(a) *General criteria.* (1) The need for the proposed activity in the area to be

served by the applicant, particularly as it relates to the percentage or numbers of children with reading deficiencies in school(s) to be served by the project (10 points);

(2) Whether the program to be assisted responds to the reading needs it identifies and holds substantial promise of overcoming the reading deficiencies of children in the project schools (10 points);

(3) The adequacy of qualifications and experience of personnel designated to carry out the proposed project (10 points);

(4) The adequacy of facilities and other resources to carry out the project and, in particular, the use staff will make of these facilities in the project (5 points);

(5) Reasonableness of estimated cost in relation to anticipated results (5 points);

(6) Whether the proposed methods, systems, materials, or approaches of the program are sufficiently exemplary to be utilized in other projects or programs for similar educational purposes (5 points);

(7) Sufficiency of size, scope, and duration of the project so as to secure productive results (5 points);

(8) Soundness of the proposed plan of operation, including consideration of the extent to which (15 points):

(i) The objectives of the proposed project are sharply defined, clearly stated, capable of being attained by the proposed procedures, and capable of being measured;

(ii) Provision is made for high quality evaluation of the effectiveness of the project and for determining the extent the objectives are accomplished; and

(iii) Provision is made for disseminating the results of the project and for making the resulting materials, techniques, and other inputs available to the general public and specifically to those concerned with the area of education with which the project is itself concerned;

(9) The likelihood that program activities to be carried out under the project will be sustained and expanded by the applicant following the expiration of Federal assistance (5 points), as measured by:

(i) Evidence of financial and other commitment of the applicant, including its policymaking board, to the program; and

(ii) The extent the project is designed to build the capacity of the applicant to plan, expand, and improve effective reading programs on the elementary or preelementary school level; and

(10) Extra points will be awarded to projects which provide for reaching a large number of schools (10 points) through:

(i) Their direct involvement in the project as project schools;

(ii) A statement of commitment by the applicant and reasonable time-tables to implement, after the expiration of Federal assistance under this subpart, innovative methods, systems, materials, or other elements developed in the project in all other schools administered by the applicant; and/or

(iii) Provisions for dissemination of information to other agencies, institutions, and schools concerning innovative methods, systems, materials, or other elements developed in the project, including documentation of the applicant's access to existing networks of potential users; and

(11) The ranking of the application by the State advisory council pursuant to § 162.13 (50 points);

(20 U.S.C. 1221 (a), (b), (c))

(b) *Specific programmatic criteria.* The extent the proposed project is designed to achieve high quality (beyond meeting minimum requirements) for the following specific program elements required by § 162.12(c) to be contained in each program funded under this subpart:

(1) Diagnostic testing to identify school children with reading deficiencies (5 points), as measured by factors such as whether:

(i) Tests will assist teachers and administrators in making decisions within the classroom and school;

(ii) Tests will diagnose the student's strengths and identify areas to be taught;

(iii) Tests will be used which are most specific and which give recommendations for specific treatments in cognitive and affective areas;

(iv) Diagnosis will be an ongoing process; and

(v) Tests are valid and reliable, as well as culturally and linguistically fair;

(2) Planning and establishing comprehensive reading programs (10 points), as measured by factors such as whether:

(i) The program focuses on the training of existing staff and would be carried out with existing staff rather than hiring additional staff members with Federal funds;

(ii) The project objectives are derived from and responsive to the findings of the needs assessment and diagnostic testing in the school(s) proposed to be served;

(iii) The reading program is designed to focus on children with reading deficiencies, but also provides reading instruction for every child in classes involved in the project;

(iv) Provision is made for individualized instruction which allows individual children to proceed at their own pace and in appropriate skill sequences;

(20 U.S.C. 1221)

(v) Continuity in teaching methods from grade to grade is attempted within each project school, while at the same time there is flexibility to adjust methods and techniques for individual children based on the results of diagnostic testing;

(S. Rep. No. 489, 93d Cong. 2d Sess. 125 (1974))

(vi) Children are not separated away from the classroom by ability or lack of ability, unless the applicant demonstrates that separation for a portion of the school day for supplementary instruction:

(A) Is essential to the purpose of the program; and

(B) Is essential to the needs of the child because the child's needs cannot totally be met in the regular classroom; and

(vii) Attention is given in the preelementary school program and in the early primary grades to reading readiness activities.

(3) Preservice and inservice training for teaching personnel (15 points), as measured by factor such as whether:

(i) The training to be provided relates to the assessed needs of teaching and ancillary educational personnel and children in project school(s);

(ii) The training will be offered at convenient times and locations;

(iii) Provision is made for classroom application of newly learned competencies and for follow up technical assistance to staff members;

(iv) Provision is made for evaluation of the training; and

(v) Instructional theory and experiences are offered which provide trainees with a capacity to:

(A) Understand the language arts process, children's literature, and reading readiness;

(B) Use diagnostic techniques to identify the reading needs of individual children and to evaluate student progress toward instructional objectives;

(C) Develop and carry out reading programs designed to meet the needs of individual children, including activities to meet the special reading needs of children from diverse cultural and linguistic backgrounds;

(D) Work constructively and positively, on a group and individual basis, with children, parents, and other educational personnel;

(E) Effectively utilize a variety of approaches to the teaching of reading, including sequenced instruction, integration of reading instruction into other subject matter areas, flexible grouping of students based on student interest, needs, and abilities, and individualized instruction; and

(F) Plan and manage overall reading programs, including aspects such as problem-solving techniques, needs assessment and planning instruments, record-keeping, the identification and use of program resources, and program evaluation;

(4) Involvement in the project of school faculty, parents, the policymaking board of the applicant, and leaders of educational and cultural resources of the area to be served (15 points) as measured by such factors as whether:

(i) Two way communication is fostered between the project schools and appropriate groups outside the school;

(ii) Practical involvement of parents and board members in carrying out project activities is permitted; and

(iii) The project staff provides evaluative information to parents and board members;

(5) Periodic achievement testing (5 points), as measured by such factors as whether:

(ii) Testing will be done with the children at appropriate times and frequencies;

(ii) The project staff delineates before the testing what the tests are intended to measure, how the test results are going to be used, and the audiences for whom the test results are intended;

(iii) The same level of the same test is used for both pre- and post-testing of children;

(iv) If commercially prepared tests are used, project staff will carefully administer and score the tests according to the procedures outlined by test publishers;

(v) There is a clear rationale why the test measures will be criterion-referenced, norm-referenced, or informal; and

(vi) Project staff will scrutinize carefully whether the causes for observed gains are due to the treatment or other factors;

(6) Appropriate use of bilingual education methods and techniques (5 points) as measured by such factors as whether:

(i) There will be increased use of culturally relevant resources appropriate to the children in project school(s);

(ii) Students will be provided a knowledge of the history and culture associated with their languages;

(iii) Students will develop listening, speaking, reading, writing, and other academic skills in two languages;

(iv) The project will prevent the separation of children away from the classroom by language or ethnic background in any activity included in the programs, unless the applicant demonstrates that separation for a portion of the school day for specific language/reading activities is essential to the purpose of the program and needs of the child; and

(v) The project will utilize bilingual teaching and administrative staff;

(7) Collection and assessment of information on the reading needs of individual children to be made available for teachers in the subsequent year (5 points), as measured by such factors as whether the assessment is designed to:

(i) Aim at factual information rather than mere opinnion;

(ii) Include information on both cognitive and affective factors related to reading; and

(iii) Be done with uniform data collection instruments that can be used as a part of the school's total evaluation design;

(20 U.S.C. 1921(b))

(8) Publication of the test results on achievement by grade level and, where appropriate, by school, without identification of achievement of individual children (5 points), as measured by such factors as whether publication and interpretation of test results is done in a way to:

(i) Protect the children;

(ii) Be understandable to the people who receive the results;

(iii) Present pre-test and post-test results with adequate explanation of the correlations;

(c) *Additional criteria for preelementary school projects.* The Commissioner will evaluate applications for preelementary school projects on the basis of the criteria set forth in paragraphs (a) and (b) of this section, according to the indicated weights, and the following criteria, weighted as indicated:

(1) The extent the project goals are commensurate with the appropriate developmental stages for the children to be served (10 points);

(2) The extent the project assesses the needs of preschool children by employing reliable and field-tested tools which can diagnose, screen, and predict potential readiness for reading (10 points);

(3) The extent qualified teachers use multi-teaching strategies and varied materials and resources in providing reading readiness experiences (5 points);

(4) The extent the project takes into account the various modalities for learning (5 points); and

(5) The extent provision is made for parent education in child management (5 points).

(20 U.S.C. 1921(b))

§ 162.15 Equitable geographic distribution.

(a) In approving applications under this subpart the Commissioner will, to the maximum extent feasible, assure an equitable distribution of funds throughout the United States and among urban and rural areas. In assuring an equitable distribution of funds throughout the United States, the Commissioner will consider:

(1) School-age population within a State;

(2) Urban and rural population distribution;

(3) Percentage of children with reading deficiencies;

(4) A widespread geographic distribution of projects;

(5) Ethnic/racial and cultural diversity of population to be served;

(6) Any other pertinent information;

(b) Not more than 12½ percent of the funds expended under this subpart in any fiscal year may be expended in any State in that year.

(20 U.S.C. 1921(g))

§ 162.16 [Reserved]

§ 162.17 Duration of projects.

(a) Projects may be for up to two years' duration.

(b) Applications proposing two year projects must be accompanied by an explanation of the need for two year support, an overview of the objectives and activities proposed, and budget estimates to attain these objectives in the proposed second year.

(c) If the application demonstrates to the Commissioner's satisfaction that two year support is needed to carry out the proposed project, the Commissioner may, in the initial notification of grant award for the project (which shall be for up to a twelve month period) indicate an intention to assist the project for a second year through a continuation grant.

(d) Continuation awards may be made to projects described in paragraph (c) of this section, subject to the restriction in paragraph (a) of this section and to the availability of funds.

(e) Applications for continuance awards will be reviewed on a non-competitive basis to determine:

(1) If the award recipient has complied with the award terms and conditions, the Act, and any applicable regulation;

(2) The project's effectiveness to date, or the constructive changes proposed as a result of the ongoing evaluation; and

(3) The extent continuation of Federal assistance would further a multiplier effect through:

(i) Directly involving additional schools and students in the project;

(ii) Provisions for implementing, after the expiration of Federal assistance under this subpart, innovative methods, systems, materials, or other elements developed in the project in all other schools administered by the applicant; and/or

(iii) Provisions for dissemination of information to other agencies, institutions, and schools concerning innovative methods systems, materials, or other elements developed in the project.

(20 U.S.C. 1921)

§ 162.18 Size of awards; allowable costs.

(a) It is expected that most awards under this subpart will range between $15,000 and $125,000 for elementary school projects and between $5,000 and $25,000 for preelementary school projects with most of the awards made at the lower halves of these ranges, depending on the size of the service area, the number of children to be served, the scope and nature of the project, and relative local costs. Nothing in this section shall be construed to limit the size of any particular grant award under this subpart; and

(b) Allowable costs under grants awarded under this subpart shall be determined in accordance with the cost principles provided under Subpart G of 45 CFR Part 100a, subject to the restrictions that:

(1) A maximum of 10 percent of the amount of the grant award may be spent for evaluation purposes; and

(2) A maximum of 10 percent of the grant award may be spent for the purchase of inexpensive books for distribution on a loan basis to elementary and preelementary school children.

(20 U.S.C. 1921, S. Rep. No. 1026, 93d Cong. 2d Sess. 198 (1974))

§ 162.19–162.24 [Reserved]

Subpart C—State Reading Improvement Programs

§ 162.25 Scope and purpose.

(a) This subpart governs grants to State educational agencies under part B of title VII of Pub. L. 93–380;

(20 U.S.C. 1941 and 1944(b))

(b) Grants under this subpart shall be made in accordance with the provisions of part B of title VII of Pub. L. 93–380 (set forth in Appendix A of this part) and shall be subject to the General Pro-

visions Regulations contained in 45 CFR Parts 100, 100b; and

(c) Grants under this subpart are to provide assistance to State educational agencies to enable them to:

(1) Provide financial assistance for projects designed to reach the objectives of this part, as set out in § 162.1;

(2) Develop comprehensive programs to improve reading proficiency and instruction in reading in the elementary schools of the State;

(3) Provide State leadership in planning, improving, executing and evaluating reading programs in elementary schools; and

(4) Arrange for and assist in the training of special reading personnel and specialists (including reading paraprofessionals) needed in programs assisted under this part.

(20 U.S.C. 1941)

§ 162.26 Allotments; reallotments.

(a) Section 713(b) of Pub. L. 93-380 authorizes the Commissioner to reallot sums allotted to a State under section 713(a) which the Commissioner determines will not be required by the allottee for that year. The reallotment to other States is in proportion to the amounts originally allotted, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates the local educational agencies of that State need and will be able to use for that year; and

(b) In order to provide a basis for reallotment of sums by the Commissioner pursuant to this section, each State educational agency shall, if requested, submit to the Commissioner, by a date or dates the Commissioner may specify, a statement or statements showing the anticipated need for the funds previously allotted during the period for which the funds are available, or any amount needed to be added by reallotment. Further information the Commissioner may request for the purpose of making reallotments shall be reflected in these statements.

(20 U.S.C. 1949)

§ 162.27 Standard of excellence.

(a) Section 714(a) of Pub. L. 93-380 provides that any State which desires to receive grants under part B of title VII of Pub. L. 93-380 must, through its State educational agency, enter into an agreement with the Commissioner which, among other things, provides for the establishment of a State advisory council on reading to advise the State educational agency on the formulation of a standard of excellence for reading programs in the elementary schools;

(b) The standard of excellence adopted by the State educational agency with the advice of the State advisory council under paragraph (a) of this section shall include, but need not be limited to, those statements of conditions that address or characterize a quality reading program in elementary schools;

(c) States are encouraged to consider at least the following factors when constructing a standard of excellence:

(1) Community and school climate;

(2) Organizing and managing a reading program;

(3) Staffing a reading program;

(4) Selecting and utilizing materials; and

(5) Fostering reading interests; and

(d) The standard of excellence developed pursuant to this section must be designed for use by local educational agencies to plan, develop, implement, and evaluate their reading programs, and as a means for State educational agencies to evaluate the elementary reading programs of local educational agencies within their State.

(20 U.S.C. 1944(a))

§ 162.28 [Reserved]

§ 162.29 Judicial review.

(a) If any State is dissatisfied with the Commissioner's final action with respect to entering into an agreement with the State under this subpart, the State may, within sixty days after notice of the action, file a petition for review of that action with the United States court of appeals for the circuit in which the State is located. A copy of the petition shall be immediately transmitted by the clerk of the court to the Commissioner. The Commissioner shall then file in the court the record of the proceedings on which the Commissioner's action was based, as provided in section 2112 of title 28, United States Code;

(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may then make new or modified findings of fact and may modify the previous action, and shall certify to the court the record of the further proceedings. New or modified findings of fact shall likewise be conclusive if supported by substantial evidence; and

(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(20 U.S.C. 1944(d), 827)

§ 162.30-162.34 [Reserved]

Subpart D—Special Emphasis Projects

§ 162.35 Scope and purpose.

(a) *Scope.* The regulations in this part govern projects awarded with funds pursuant to section 721 of Pub. L. 93-380; and

(b) *Purpose.* The purpose of the program carried out pursuant to this part is to support, through contracts with local educational agencies, special emphasis projects to determine the relative effectiveness of intensive reading instruction by reading specialists and reading teachers.

(20 U.S.C. 1961)

§ 162.36 Definitions.

As used in this subpart:

"Intensive reading instruction" means instruction in reading that would provide pupils with a minimum of 30 to 30 minutes of direct teacher-pupil instructional interaction each day (either individually or in small groups) and 15 to 20 minutes per day of independent reinforcement activities.

"Project school" means the individual school site where the Special Emphasis project will be implemented.

"Reading problem" means reading achievement which is less than would normally be expected for children of comparable ages in comparable grades of school.

"Reading specialist" means an individual who has a master's degree, with a major or specialty in reading, from an accredited institution of higher education and has successfully completed three years of teaching experience, which included reading instruction.

"Reading teacher" means an individual, with a bachelor's degree, who has successfully completed a minimum of twelve credit hours, or its equivalent, in courses in the teaching of reading at an accredited institution of higher education, and has successfully completed two years of teaching experience, which included reading instruction.

(20 U.S.C. 1961 and 1961(f))

§ 162.37 Eligibility; number of applications.

(a) Local educational agencies are eligible to file applications for contract awards under this subpart; and

(b) An applicant may submit only one application in a given fiscal year for an award pursuant to this subpart.

(20 U.S.C. 1961)

§ 162.38 Nature of projects.

(a) Projects supported under this subpart must be designed to carry out:

(1) The teaching of reading by reading specialists or reading teachers to all children in the first and second grades of an elementary school and to those children in grades three through six who have reading problems; and

(2) An intensive vacation reading program for elementary school children found to be reading below the appropriate grade level or who are experiencing problems in learning to read;

(b) Projects funded under this subpart must be designed to permit an evaluation by the Commissioner or by a contractor selected by the Commissioner of the effectiveness of intensive instruction by reading specialists and reading teachers;

(1) This evaluation will require the establishment or maintenance of a control school and may include a reasonable number of interviews, questionnaires,

achievements tests, and other evaluation instruments administered to administrators, principals, teachers and students, project staff, and community members at reasonable times and places; and

(2) The evaluation may require the applicant to provide reasonable assistance in the organization and administration of the evaluation, including record keeping.

(20 U.S.C. 1961(a))

§ 162.39 Review and certification by State educational agencies.

(a) *Review of applications.* (1) The Commissioner will not approve an application submitted by a local educational agency under this subpart unless the State educational agency of the State in which the local educational agency is located has first approved it;

(2) Applicants must provide a copy of their application to the appropriate State educational agency concurrently with the submission of the application to the Commissioner;

(3) The Commissioner may establish a cut-off date for approval of applications by the State eductional agency. If the Commissioner establishes such a date, failure by the State educational agency to indicate its approval to the Commissioner within the period specified shall be deemed a disapproval by the State educational agency of the application, which thereafter will not be considered for funding by the Commissioner; and

(4) The State educational agency must inform the Commissioner in writing, in accordance with any cut-off date established by the Commissioner under paragraph (a)(3) of this section, of those applications within its State which it approves for funding under this subpart.

(20 U.S.C. 1961(c))

(b) *Certification of reading specialists and teachers.* (1) The Commissioner will not approve any application unless it provides assurances that the State educational agency has certified that individuals employed as reading specialists and reading teachers meet the requirements set out in the definitions in § 162.36, except as provided in paragraph (b)(3) of this section;

(2) A reading teacher may be used in lieu of a reading specialist in projects under this subpart:

(i) If the Commissioner finds that the local educational agency applicant is unable to secure individuals who meet the requirements of a reading specialist; and

(ii) If the reading teacher is enrolled or will enroll in a program to become a reading specialist;

(3) A regular elementary teacher may be used in lieu of a reading teacher in projects funded under this subpart:

(i) If the Commissioner finds that the local educational agency applicant is unable to secure individuals who meet the requirements of the reading teacher; and

(ii) If the regular elementary teacher is enrolled or will enroll in a program to become a reading teacher.

(20 U.S.C. 1961(b)(3) and (e))

§ 162.40 Application requirements.

(a) With respect to activities to determine the relative effectiveness of intensive reading instruction to be carried out in the project, an application submitted under this subpart must set forth:

(1) Documentation that each of the provisions in § 162.38 will be satisfied by the project;

(2) Documentation that the project school has an enrollment which includes a substantial number of students who have a serious deficiency in reading achievement. For the purposes of this paragraph, "substantial number" means that 50 percent of the students in grades three through six are reading one or more years below grade level;

(3) A commitment by the applicant to cooperate with the Commissioner and with any contractor selected by the Commissioner in an evaluation to determine the effectiveness of intensive instruction by reading specialists and reading teachers in the project assisted under this subpart;

(4) The name of the project school and the name of the control school, and a commitment that these schools will remain the participating schools for the duration of the project;

(5) Documentation that:

(i) The project and control schools will be comparable (matched) as to:

(A) Instructional approaches;

(B) Curriculum materials; and

(C) Size of enrollment; and

(ii) The control school will not have reading specialists or reading teachers responsible for reading instruction;

(6) Documentation that the project and control schools have comparable student bodies regarding:

(i) Socio-economic status;

(ii) Ethnicity; and

(iii) Scores on standardized tests;

(7) A management plan that includes a process evaluation to measure the extent the project is meeting stated objectives; and

(8) A description of a reading specialists' format plan which includes a description of the instructional strategies, staffing plans (including the pupil-teacher ratio), instructional intensity pattern, and grouping patterns;

(b) The Commissioner will award a contract under this subpart only upon an application which meets the requirements in paragraph (a) of this section, and which:

(1)(i) Documents that there has been participation in the planning and development of the program described in the application by (A) parents of children to be served by the program, (B) the policy-making board of the applicant, (C) and leaders of the cultural and educational resources of the area to be served, including representatives of such organizations as institutions of higher education, non-profit private schools, public and private non-profit agencies such as libraries, museums, educational radio and television organizations, and other cultural and educational resources of the community, subject to the possibility that, if the applicant believes it to be impracticable for reasons such as the small size of the project for the project to meet the requirement under this subdivision, (C), the application must document to the Commissioner's satisfaction the reasons why the requirement is impracticable, and the Commissioner may then waive the requirement;

(ii) Includes a description of procedures used to provide the public at large in the area or areas proposed to be served by the project with an opportunity to have input in the planning of the program described in the application (such as through public notice and hearings); and

(iii) Provides for the continuing participation of groups and representatives described under paragraph (b)(1)(i) of this section in the development and implementation of the program described in the application; and

(2) Sets forth a reading program which provides:

(i) Plans for facilitating the re-entry and integration of students into the regular classroom program;

(ii)(A) A vacation reading program of at least four weeks including information about student selection procedures, duration, curriculum, and staffing; and

(B) A commitment that participation in the vacation program will be limited to children enrolled in the project school;

(iii) Diagnostic testing designed to identify children with reading deficiencies, including the identification of conditions which, without appropriate other treatment, can be expected to impede or prevent children from learning to read;

(iv) Planning and establishing comprehensive reading programs in project schools;

(v) Preservice and inservice training programs for project teaching personnel, including teacher aides and other ancillary educational personnel designed to enable these personnel to improve their ability to teach students to read, subject to the possibility that, if the applicant believes it to be impracticable for reasons such as the small size of the project for the project to meet this requirement, the application must document to the Commissioner's satisfaction the reasons why the requirement is impracticable, and the Commissioner may then waive the requirement;

(vi) Participation of the school faculty, the policy-making board of the applicant, members of the school administration, parents, and students in reading-related activities which stimulate an interest in reading and are conducive to the improvement of reading skills;

(vii) Sufficient periodic testing of elementary school children to accurately measure reading achievement; and

(A) Publication of test results on reading achievement by grade level and, where appropriate, by school, without identification of individual children; and

(B) The availability of test results on an individual basis to parents or guardians of any child tested;

(viii) Use of bilingual education methods and techniques consistent with the number of elementary school age children in the area served by a reading program who are of limited English-speaking ability;

(ix) Participation on an equitable basis by children enrolled in non-profit private elementary schools in the area to be served (after consultation with the appropriate private school officials) to an extent consistent with the number of such children whose educational needs are of the kind the program is intended to meet. The application must:

(A) Indicate the number of children enrolled in nonpublic schools who are expected to participate in each program and the manner of their expected participation;

(B) Document that there has been participation in the planning and development of the program described in the application by officials representing non-profit private elementary schools in the area to be served with children whose educational needs are of the kind which the program is intended to meet and provide for the continuing participation of these officials in developing and implementing the program; and

(x) *Other information.* Applications may include other information appropriate to respond to the criteria in § 162.41.

(20 U.S.C. 1921)

§ 162.41 Evaluation criteria.

In reviewing applications under this subpart, the Commissioner will seek to identify a small number of high quality projects and will apply the following criteria and point system totaling 175 points:

(a) The soundness of the proposed plan of operation, including consideration of the extent to which:

(1) The objectives of the project are sharply defined, clearly stated, and capable of being attained by the proposed program and capable of being measured and evaluated (30 points); and

(2) Provision is made for inservice training appropriate to the needs of the project (10 points);

(b) The overall quality of the instructional design including:

(1) The extent the project plans promise an effective instructional climate (15 points);

(2) The quality and comprehensiveness of plans for improving the whole school reading program (15 points);

(3) The extent plans for the summer school are integrated with the overall school reading program (10 points);

(4) The adequacy of the diagnostic program to identify students with reading problems and needs (10 points); and

(5) The extent the project will utilize recent research findings and provide for the adoption of innovative products and practices (15 points);

(c) Provision is made for the sole use of reading specialists or reading teachers, rather than regular classroom teachers, under the conditions set out in § 162.39(b) (50 points);

(d) The qualifications of the project director (15 points);

(e) The reasonableness of cost in relation to anticipated results (10 points);

(f) The quality of the proposed management design that includes process evaluation, schedules, and resource utilization plans (10 points); and

(g) Evaluation criteria set forth in § 100a.26(b) of this chapter will not apply to applications submitted under this subpart.

(20 U.S.C. 1921)

§ 162.42 District-wide project award.

(a) Subject to the availability of funds for a district-wide project, the Commissioner will consider awarding one or more district-wide projects which would be conducted in all schools within a local educational agency;

(b) Any award pursuant to this section will be subject to all other provisions of this subpart on the same basis as other projects funded under this subpart;

(c) In addition to the criteria set out in § 162.41, priority will be given to applications:

(1) Where the local educational agency:

(i) Gives credit for any course to be developed for reading teachers or reading specialists under section 722 of the Act; and

(ii) Encourages participation by the teachers of the agency in the training;

(2) Where the local public educational television station:

(i) Will present or distribute, in the event supplementary noncommercial telecommunication is utilized, any course to be developed under section 722 of the Act at a convenient time for viewing by elementary school teachers; and

(ii) If possible, at a convenient time for these teachers to take the course as a group at the elementary school where they teach; and

(3) Where the local educational agency makes arrangements with the appropriate officials of institutions of higher education to obtain academic credit for their elementary school teachers for the completion of a course described in paragraph (c)(2) of this section.

(20 U.S.C. 1961(d))

§ 162.43 [Reserved]

§ 162.44 Duration of projects.

(a) Projects may be for up to three years' duration;

(b) Applications proposing multi-year projects must be accompanied by an explanation of the need and usefulness for evaluation purposes for multi-year support, an overview of the objectives and activities proposed, and budget estimates to attain these objectives in any proposed subsequent year;

(c) If the application demonstrates to the Commissioner's satisfaction that multi-year support is needed to carry out the proposed project, the Commissioner may, in the initial contract award for the project, indicate an intention to assist the project on an appropriate multi-year basis through continuation contracts;

(d) Continuation awards may be made to projects described in paragraph (c) of this section, subject to the restriction in paragraph (a) of this section and to the availability of funds; and

(e) Applications for continuation awards will be reviewed on a non-competitive basis to determine:

(1) If the contractor has complied with the contract terms and conditions, the Act, and applicable regulations; and

(2) The project's effectiveness to date, or the constructive changes proposed as the result of the ongoing evaluation.

(20 U.S.C/1961)

§ 162.45 Size of awards; allowable costs.

(a) The size of individual contract awards under this subpart will depend upon the number of children and educational personnel to be served by the proposed project. It is expected that contract awards will generally range between $100,000 and $200,000. Nothing in this section shall be construed as a limit on the amount of individual contract awards; and

(b) Allowable costs under contracts awarded under this subpart shall be determined in accordance with the cost principles provided under Subpart G of 45 CFR Part 100a, subject to the restriction that a maximum of five percent of funds may be spent on equipment.

(20 U.S.C. 1961)

§ 162.46–162.49 [Reserved]

Subpart E—Reading Academy Program

§ 162.50 Scope and purpose.

(a) This subpart governs applications for grants from State and local educational agencies, institutions of higher education, and community and other non-profit organizations to support exemplary reading assistance and instruction for functionally illiterate in-school as well as out-of-school youths and adults who do not otherwise receive such reading assistance and instruction under section 722 of Pub. L. 93-380, as amended; and

(b)(1) Grants under this subpart will support the development and installation of these activities in facilities to be known as reading academies.

(2) Activities funded under this subpart:

(i) Must not duplicate or supplant reading programs available in public or private elementary or secondary schools, postsecondary school institutions, or other agencies or institutions in the geographic area to be served;

(ii) Must be designed for both youths and adults who elect to participate in project activities on a voluntary basis;

(iii) May serve in-school youths and adults only if reading assistance and instruction are not already available to them; and

(iv) May not be designed primarily to serve in-school youths and adults.

(20 U.S.C. 1965)

§ 162.51 Definitions.

As used in this subpart:

"Adult" means an individual 18 years of age or older.

"Functional illiteracy" means the absence of reading skills necessary to enable individuals to function effectively in society.

"Participant" means an individual enrolled in an academy program for the purpose of receiving reading instruction.

"Service area" means the geographic area to be served by a project funded pursuant to this subpart.

"Youth" means an individual 16 or 17 years old.

(20 U.S.C. 1063)

§ 162.52 Application requirements.

(a) With respect to reading assistance and instruction activities proposed to be carried out in the project, an application submitted under this subpart must set forth:

(1) Specific and measurable project objectives which will contribute to the elimination of functional illiteracy of adults and youths within the service area;

(2) A proposed time frame for accomplishing each of the objectives;

(3) An explanation of proposed procedures and strategies for accomplishing each objective;

(4) An evaluation component providing for the collection, verification, and analysis of data to measure the extent each objective is accomplished by the project, and including pre- and post-use of appropriate standardized reading achievement tests which indicate reading grade level and, insofar as possible, relate to the cultural and linguistic variables of the target population; and

(5) Information satisfying the Commissioner that the provisions in § 162.50 will be met.

(b) An applicant for assistance pursuant to this subpart must provide evidence of demonstrated experience and/or capability in providing reading instruction to youths and adults; and

(c) The Commissioner will approve an application submitted under this subpart only upon his determination that the requirements in paragraphs (a) and (b) of this section are satisfied and that the application:

(1) Describes project components involving the use of methodologies, systems, materials, or programs which show promise of overcoming the reading deficiencies of adults and youths in need of reading instruction and of making the project worthy of replication in other communities;

(2) Defines the geographic area to be served ("service area"), such as a city, county, regional area, or a smaller area within these units, and provides demographic and educational data supporting the need for a functional literacy program in the service area;

(3) Describes a system which the applicant either has in place or will develop for the identification and recruitment, as participants in the project, of youths and adults in need of reading instruction;

(4) Describes and provides for the implementation of a staffing plan that would:

(i) Provide one-to-one, individualized instruction or small group instruction to participants; and

(ii) Establish reading academies that would offer instruction at locations and times convenient to eligible participants; for example, through decentralized facilities or satellite academies;

(5) Provides for utilization of materials suitable for youths and adults related to their expressed needs and interests; e.g., employment tasks, consumer information, health and welfare services, and current events;

(6) Describes a strategy to involve community education (including adult education) and service organizations in the elimination of illiteracy in the service area;

(7) Describes job position qualifications for the project director and other staff which include experience in administration and knowledge of adult education in non-school settings, literacy education, teacher or tutor training, recruitment of volunteers, and community resources;

(8) Describes administrative arrangements whereby the project director assumes responsibility for all project activities; and

(9) Provides for the establishment of a unit task force which will play an active role in planning and implementing the project and which will include representatives from the applicant agency, youths and adults from the potential target population to be served, and, wherever possible and appropriate, representatives from community groups, other Federal or State programs, and business and industry.

(20 U.S.C. 1063)

§ 162.53 Evaluation criteria.

In evaluating project proposals under this subpart, the Commissioner will seek to identify a small number of exemplary projects and will evaluate proposals in accordance with the following criteria and point system totaling 200 points:

(a) The criteria set forth in § 100.a26 (b) of this chapter (the Office of Education General Provisions Regulations) (10 points);

(b) The extent the project is designed to achieve high quality (beyond meeting minimum requirements) with respect to each of the requirements set forth in § 162.52 (total of 110 points), weighted as follows:

(1) The quality of the project objectives described pursuant to § 162.52(a)(1) (25 points);

(2) The time frame for accomplishing each objective, as provided in § 162.52(a)(2) (5 points);

(3) Procedures and strategies for accomplishing these objectives as provided in § 162.52(a)(3) (5 points);

(4) The evaluation component described pursuant to § 162.52(a)(4) (10 points);

(5) The experience and capability of the applicant in providing reading instruction to youths and adults, as provided in § 162.52(b) (5 points); and

(6) Each of the subparagraphs under paragraph (c) of § 162.52 will be weighted 5 points, except that paragraph (c)(2) of § 162.52 will be assigned 15 points and § 162.52(c)(4) will be assigned 10 points;

(c) The relationship of projected costs to both the numbers of functionally illiterate youths and adults to receive reading assistance and instruction and to the quality and intensity of the instruction to be offered (for example, one low-cost approach that might be considered could be the utilization of volunteers as tutors) (10 points); and

(d) The extent to which:

(1) Appropriate procedures will be used for measuring the achievement of the participants (10 points);

(2) The applicant plans to develop materials and provide assistance designed to meet the individual needs of participants (5 points);

(3) The applicant will provide periodic inservice training for tutors, supervisory staff, and organizations interested in establishing similar literacy programs (10 points);

(4) The applicant will carry out the project in cooperation with other local programs concerned with adult education and, where appropriate, will utilize volunteers from such programs as VISTA, the Retired Senior Citizens Program, college work-study programs, and community service organizations (10 points);

(5) The applicant will establish working relationships with programs such as manpower programs under the Comprehensive Employment and Training Act of 1973 as part of its recruitment strategy (5 points);

(6) The applicant plans to provide appropriate supportive services to tutors or other instructional personnel in any decentralized, satellite, or branch academies (20 points); and

(7) Where applicable, the applicant proposes to utilize materials and approaches that take into account the language and heritage of those participants of limited or no English-speaking ability (10 points).

(20 U.S.C. 1063)

§ 162.54 Allowable costs.

Allowable costs under grants awarded under this subpart shall be determined in accordance with the cost principles provided for under Subpart G of 45 CFR Part 100a, subject to the following restrictions:

(a) A maximum of 5 percent of funds may be spent on equipment; and

(b) It is anticipated that grants under this subpart will generally range from $30,000 to $80,000 per year depending on the size of the service area, the number of adults and youths proposed to be served, the scope and nature of the proposed project, and relative local costs. The thrust of the Reading Academy Program is to provide good quality, individualized instruction to large numbers of functionally illiterate youths and adults at the lowest possible cost. This will

necessitate strong reliance on the multiplier effect, the utilization of volunteer assistance, and the coordination of support services and facilities. It is expected that a substantial number of projects will be funded rather than concentrating on relatively few projects with big budgets. Nothing in this section shall be construed to limit the size of any particular grant award.

(20 U.S.C. 1963)

§ 162.55 Project duration.

(a) Projects may be for up to three years' duration.

(b) Applications proposing multi-year projects must be accompanied by an explanation of the need for multi-year support, an overview of the objectives and activities proposed, and budget estimates to attain these objectives in any proposed subsequent year.

(c) If the application demonstrates to the Commission's satisfaction that multi-year support is needed to carry out the proposed project, the Commissioner may, in the initial notification of grant award for the project (which shall be for up to a twelve month period), indicate an intention to assist the project on an appropriate multi-year basis through continuation grants.

(d) Continuation awards may be made to projects described in paragraph (c) of this section, subject to the restriction in paragraph (a) of this section and to the availability of funds.

(e) Applications for continuation awards will be reviewed on a non-competitive basis to determine:

(1) If the award recipient has complied with the award terms and conditions, the Act, and any applicable regulation; and

(2) The project's effectiveness to date, or the constructive changes proposed as a result of the ongoing evaluation.

(20 U.S.C. 1963)

Subpart F—State Leadership and Training Projects

§ 162.60 Scope and purpose.

This subpart governs applications from State educational agencies for leadership and training activities designed to assist and prepare personnel throughout the State to conduct projects which have been demonstrated in that State or other States to be effective in overcoming reading deficiencies.

(20 U.S.C. 1921(a)(3), 1964)

§ 162.61 Nature of projects; funding requirements.

(a) *Nature of projects.* Projects assisted under this subpart must be designed to overcome reading deficiencies through the activities described in paragraph (b) of this section which must (1) relate to reading problems of children, youths, and adults, and (2) address systemic as well as learning problems at the classroom or individual learner level.

(b) *Project activities.* Each application for assistance under this subpart must set forth a plan which provides for the carrying out and integration of the following activities in accordance with paragraph (a) of this section:

(1) Statewide needs assessments to determine the state of the art in reading and reading instruction and to validate promising reading practices and organizational and administrative processes within the State.

(i) The needs assessment must include an identification and prioritization of reading needs, including personnel needs, in the State and must examine the ways in which State leadership and training activities funded pursuant to this subpart may effectively address these needs, including an examination of the relationship of State leadership and training activities funded under this subpart to other reading resources and activities in the State, both existing and planned for the successive three year period;

(ii) The needs assessment must result in a needs assessment document showing the findings of the needs assessment in accordance with the provisions of clause (i) of this subparagraph which may be updated from time to time as the result of continuing needs assessment activities, and which constitutes a foundation for the development of a plan for continuing State leadership and training activities in the field of reading; and

(iii) The needs assessment must include an examination of the appropriateness of requirements and opportunities for preservice and inservice training and certification of teachers, administrators, and other educational personnel in relationship to reading problems.

(2) An exemplary training program for administrators responsible for reading programs in local educational agencies and non-profit private agencies and schools within the State.

(i) The training program must be based upon the needs assessment described in subparagraph (1) of this paragraph and upon the standard of excellence described under paragraph (c)(4) of this section.

(ii) The training program may be given in coordination with teacher preparatory institutions within the State and shall include:

(A) The teaching of basic reading skills;

(B) Organizational and administration skills;

(C) Interpersonal relations skills directed toward community involvement and the change process;

(D) Planning strategies;

(E) The preparation of administrative support materials for reading programs;

(F) The development and carrying out of tutoring projects in reading and the preparation of tutors for these projects;

(G) Appropriate bilingual methods for children and adults of limited English-speaking ability; and

(H) Approaches to the provision of effective reading instruction for various target populations, including the planning, development, and implementation of programs for adults; and

(3) The provision of technical assistance related to the development, organization, and administration of reading programs in local educational agencies and appropriate non-profit private agencies and schools. Technical assistance activities provided under this subparagraph must include:

(i) Follow-up technical assistance, upon request, to training program participants related to the specific areas in which training was offered, as described in subparagraph (2) of this paragraph;

(ii) The provision of ongoing technical assistance to use information on effective and validated reading programs, specific approaches to the teaching and learning of reading skills, and administrative and organizational processes; and

(iii) The provision of technical assistance activities related to innovative approaches, techniques, or other activities which have proved effective in that or in other States.

(4) Dissemination of information to assist in the development, organization, and administration of reading programs in local educational agencies and appropriate non-profit private agencies and schools.

Dissemination of information activities conducted pursuant to this paragraph may include:

(i) The distribution of Right to Read materials and other information made available by the Commissioner; and

(ii) Information developed or utilized pursuant to subparagraph (3)(ii) of this paragraph.

(c) *Funding requirements.* Assistance under this subpart shall be subject to the following requirements, and each application for assistance under this subpart must provide information adequate to establish that these requirements will be met:

(1) *Project objectives.* With respect to each of the activities described in paragraph (b) of this section, an application submitted under this subpart must set forth:

(i) Specific and measurable objectives which will contribute to the overcoming of reading deficiencies and the development and improvement of literacy skills within the State;

(ii) A proposed time-frame for accomplishing such objectives;

(iii) An explanation of proposed procedures and strategies for accomplishing such objectives; and

(iv) An evaluation component providing for the collection, verification, and analysis of data to measure the extent to which such objectives are accomplished by the project.

(2) *State agency task force.* (i) The award recipient shall establish a State agency task force consisting of representatives of all programs within the State educational agency involving or related to reading activities.

(ii) The task force shall serve as a means of securing collaboration, with respect to the planning and implementation of the project assisted pursuant to this subpart, among representatives of different programs within the State agency involving or related to reading activities and also as a means for insuring that the project is effectively coordi-

nated with other reading activities of the State educational agency.

(3) *Advisory council.* (i) The award recipient shall appoint an advisory council which is broadly representative of the educational resources of the State and of the general public including persons representative of:

(A) Public and private non-profit elementary and secondary schools;

(B) Institutions of higher education;

(C) Parents of elementary and secondary school children; and

(D) Areas of professional competence relating to instruction in reading.

(ii) If an advisory council has been established for Subparts B or C of this part, that advisory council may constitute the advisory council required by this subparagraph and may be used to perform the advisory council functions under this subparagraph.

(iii) The advisory council shall serve as an advisory body in planning, developing, implementing, and evaluating the project and in providing for its coordination with other reading activities of local educational agencies and other schools within the State.

(4) *Standard of excellence.* (i) The award recipient shall, with the advice of the advisory council, established pursuant to subparagraph (3) of this paragraph, develop a standard of excellence, as described in § 162.27 of this part, defining the elements which ought to be involved in succesful reading programs in the State.

(ii) Once it is developed, the standard of excellence shall be utilized in training activities conducted pursuant to paragraph (b)(2) of this section and as a measurement instrument in carrying out any continuing needs assessment activities pursuant to paragraph (b)(1) of this section.

(d) *Subgrants; service contracts.* (1) Reading program activities and services assisted under the project must be directly administered by, or under the supervision of, the award recipient;

(2) Award recipients may not use any Federal funds awarded pursuant to this subpart to award subgrants to other entities or persons;

(3) Award recipients may, with Federal funds awarded pursuant to this subpart, enter into contracts with other entities or persons (such as personnel from teacher preparatory institutions or local educational agencies) to secure services which will assist them in carrying out a portion of the program activities, as provided in § 100a.30 of this chapter. These contract agreements are subject to the conditions set forth in § 100a.30 of this chapter which prohibit transfer of responsibility (or conduit arrangements) by the award recipient and require a statement of intention to enter into a service contract in the approved application or an approved amendment thereto.

(20 U.S.C. 1921(a)(3), 1964)

§ 162.62 Evaluation criteria.

The Commissioner will evaluate applications for new projects under this subpart in accordance with:

(a) *General provisions criteria.* The following criteria derived from § 100a.26 (b) of this Chapter (except as repeated in this section, the criteria in § 100a.26 (b) shall be inapplicable to applications under this part):

(1) (15 points) the need for the proposed activity in the area served or to be served by the applicant;

(2) (10 points) Adequacy of qualifications and experience of personnel designated to carry out the proposed project;

(3) (5 points) Adequacy of facilities and other resources;

(4) (15 points) Reasonableness of estimated cost in relation to anticipated results;

(5) (15 points) Sufficiency of size, scope, and duration of the project to secure productive results; and

(6) (10 points) Satisfactory inservice training for SEA staff connected with project services.

(b) *Quality of activities.* The extent to which the project is designed to achieve high quality (beyond meeting minimum requirements) with respect to each of the required activities set forth in § 162.61(b), weighted as follows:

(1) (15 points) Statwide assessment of needs, including personnel needs, relating to reading problems in the State, leading to the development of a needs assessment document described in § 162.61(b)(1)(ii);

(2) (15 points) Inservice training for reading administrators and instructional personnel in leadership positions pursuant to § 162.61(b)(2);

(3) (15 points) Technical assistance pursuant to § 162.61(b)(3); and

(4) (15 points) Dissemination of information pursuant to § 162.61(b)(4).

(c) *Other criteria.* The extent to which the application includes:

(1) (10 points) Provisions for publicizing the priority of reading through public announcements, State Board of Education resolutions, and other efforts initiated by the State educational agency;

(2) (10 points) High quality organizational provisions within the State educational agency for personnel with administrative responsibility related to reading programs (such as a designated reading administrator, State educational agency reading task force, State Advisory Council for reading, and other interagency personnel engaged in reading related activities);

(3) (10 points) Plans for effective communication and delivery systems with local educational agencies and other schools and educational resources within the State for assisting in the provision of reading programs;

(4) (10 points) Integration of all of the activities described in § 162.61(b) to achieve maximum impact on the planning for and implementation of a statewide project for the improvements of literacy skills within the State; and

(5) (5 points) Information which reflects knowledge of recent research and development in the area of reading.

(20 U.S.C. 1921(a)(3), 1964)

§ 162.63 Project duration.

(a) Projects may be up to three years' duration.

(b) Applications proposing multi-year projects must be accompanied by an explanation of the need for multi-year support, an overview of the objectives and activities proposed, and budget estimates to attain these objectives in any proposed subsequent year.

(c) If the application demonstrates to the Commissioner's satisfaction that multi-year support is needed t.. carry out the proposed project, the Commissioner may, in the initial notification of award for the project (which shall be for up to a twelve month period) indicate an intention to assist the project on an appropriate multi-year basis through continuation awards.

(d) Continuation awards may be made to projects described in paragraph (c) of this section, subject to the restriction in paragraph (a) of this section and to the availability of funds.

(e) Applications for continuation awards will be reviewed on a non-competitive basis to determine:

(1) If the award recipient has complied with the award terms and conditions, the Act, and any applicable regulation; and

(2) The project's effectiveness to date, or the constructive changes proposed as a result of the ongoing evaluation.

(20 U.S.C. 1921(a)(3), 1964)

§ 162.64 Allowable costs.

Allowable costs under awards pursuant to this subpart shall be determined in accordance with applicable cost principles set forth in the Appendices to Subchapter A of this chapter, subject to the restriction that no more than five percent of the funds supplied under the award may be used for evaluation purposes.

(20 U.S.C. 1921(a)(3), 1964)

APPENDIX A—PART B OF TITLE VII OF PUB. L. 93-380

STATE READING IMPROVEMENT PROGRAMS

STATEMENT OF PURPOSE

SEC. 711. It is the purpose of this part to provide financial assistance to the States to enable them—

(1) To provide financial assistance for projects designed to facilitate reaching the objectives of this title;

(2) To develop comprehensive programs to improve reading proficiency and instruction in reading in the elementary schools of the State;

(3) To provide State leadership in the planning, improving, execution, and evaluation of reading programs in elementary schools; and

(4) To arrange for and assist in the training of special reading personnel and specialists needed in program assisted under this title.

APPLICABILITY AND EFFECTIVE DATE

SEC. 712. (a) The provisions of this part shall become effective only in any fiscal year in which appropriations made pursuant to section 722(a) exceed $30,000,000 and then only with respect to the amount of such excess.

(b) The provisions of this part shall be effective on and after the beginning of fiscal year 1973.

ALLOTMENTS TO STATES

SEC. 713. (a) (1) From the sums appropriated pursuant to section 783(a) for each fiscal year which are available for carrying out this part, the Commissioner shall reserve such amount, but not in excess of 1 per centum of such sums, as he may determine, and shall apportion such amount to Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. Of the remainder of such sums, he shall allot an amount to each State which bears the same ratio to the amount available for allotment as the number of school age children (aged 5 to 13, inclusive) in such State bears to the total number of such children in all the States, as determined by the Commissioner on the basis of the most recent satisfactory data available to him. The allotment of a State which would be less than $50,000 under the preceding sentence shall be increased to $50,000, and the total of the increases thereby required shall be derived by proportionately reducing the allotments to the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotments to any such remaining States from being reduced to less than $50,000.

(2) For the purpose of this section, the term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

(b) The amount allotted to any State under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallotment from time to time, on such dates during that year as the Commissioner may fix, to other states in proportion to the amounts originally allotted among those states under subsection (a) for that year, but with the proportionate amount for any of the other States being reduced to the extent it exceeds the sum the Commissioner estimates the local educational agencies of such State need and will be able to use for that year; and the total of these reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection from funds appropriated pursuant to section 783 for any fiscal year shall be deemed part of the amount allotted to it under subsection (a) for that year.

AGREEMENTS WITH STATE EDUCATIONAL AGENCIES

SEC. 714. (a) Any State which desires to receive grants under this part shall, through its State educational agency, enter into an agreement with the Commissioner, in such detail as the Commissioner deems necessary, which—

(1) Designates the State educational agency as the sole agency for administration of the agreement;

(2) Provides for the establishment of a State advisory council on reading, appointed by the State educational agency, which shall be broadly representative of the educational resources of the State and of the general public, including persons representative of—

(A) Public and private nonprofit elementary school children, and

(B) Institutions of higher education,

(C) Parents of elementary school children, and

(D) Areas of professional competence relating to instruction in reading,

to advise the State educational agency on the formulation of a standard of excellence for reading programs in the elementary schools and on the preparation of, and policy matters arising in the administration of, the agreement (including the criteria for approval of applications for assistance under such agreement) and in the evaluation of results of the program carried out pursuant to the agreement;

(3) Describes the reading programs in elementary schools for which assistance is sought under this part and procedures for giving priority to reading programs which are already receiving Federal financial assistance and show reasonable promise of achieving success;

(4) Sets forth procedures for the submission of applications by local educational agencies within that State, including procedures for an adequate description of the reading programs for which assistance is sought under this part;

(5) Sets forth criteria for achieving an equitable distribution of that part of the assistance under this part which is made available to local educational agencies pursuant to the second sentence of subsection (b) of this section, which criteria shall—

(A) Take into account the size of the population to be served, beginning with preschool, the relative needs of pupils in different population groups within the State for the program authorized by this title, and the financial ability of the local educational agency serving such pupils,

(B) Assure that such distribution shall include grants to local educational agencies having high concentrations of children with low reading proficiency, and

(C) Assure an equitable distribution of funds among urban and rural areas;

(6) Sets forth criteria for the selection or designation and training of personnel (such as reading specialists and administrators of reading programs) engaged in programs assisted under this part, including training for private elementary school personnel, which shall include qualifications acceptable for such personnel;

(7) Provides for the coordination and evaluation of programs assisted under this part;

(8) Provides for technical assistance and support services for local educational agencies participating in the program;

(9) Makes provision for the dissemination to the educational community and the general public of information about the objectives of the program and results achieved in the course of its implementation;

(10) Provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to evaluate the effectiveness of the program and to carry out his other functions under this title;

(11) Provides that not more than 5 per centum of the amount allotted to the State under section 713 for any fiscal year may be retained by the State educational agency for purposes of administering the agreement; and

(12) Provides that programs assisted under this part shall be of sufficient size, scope, and quality so as to give reasonable promise of substantial progress toward achieving the purposes of this title.

(b) Grants for projects to carry out the purposes of this part may be made to local educational agencies (subject to the provision of subsection (c) relating to the participation of private elementary and secondary school pupils), institutions of higher education, and other public and nonprofit private agencies and institutions. Not less than 60 per centum of the amount allotted to a State under section 713 for any fiscal year shall be made available by the State for grants to local educational agencies within that State.

(c) The Commissioner shall enter into an agreement which complies with the provisions of subsection (a) with any State which desires to enter into such an agreement.

(d) The Commissioner's final action with respect to entering into an agreement under subsection (a) shall be subject to the provisions of section 307 of the Elementary and Secondary Education Act of 1965, relating to judicial review.

(e) The provisions of section 141A of the Elementary and Secondary Education Act of 1965 relating to the participation of children enrolled in private elementary and secondary schools shall apply to programs assisted under this part.

(f) The functions of the State advisory council on reading, required to be established by subsection (a) (2) of this section, may be carried out by the State advisory council pursuant to section 705(d) (1).

APPENDIX B—MANUAL OF GUIDELINES FOR THE READING ACADEMY PROGRAM

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AUTHORITY: Sec. 783, Pub. L. 93-380, as amended by Pub. L. 94-194.

CHAPTER I—INTRODUCTION

Part 1—Guidelines

SEC. 1.1 *Scope of guidelines.* (a) These guidelines are recommendations and suggestions for meeting the funding requirements and evaluation criteria for reading academy programs under section 783 of Pub. L. 93-380, as amended by Pub. L. 94-194 (88 U.S.C. 1063), and Subpart E of 45 CFR Part 163. The legal requirements include the Act and the regulations (Subpart E of 45 CFR Part 163). The guidelines are not to be construed as requirements; however, where the guidelines set forth a permissible means of meeting a legal requirement, the guidelines may be relied upon.

Projects which do not come within these guidelines will not be prejudiced. Projects are not subject to termination proceedings

or audit exceptions for conduct which is recommended or suggested in the guidelines; and

(b) Where a guideline is issued in connection with or affecting a provision in the regulations, the pertinent regulation will be cited after the citation of legal authority for the guideline, in the parentheses following the guideline. For example, if the legal authority for the guideline is the Act (20 U.S.C. 1063) and the guideline affects § 162.52 of the regulation (45 CFR 162.52), the following citation will be placed on the line immediately following the guideline: (20 U.S.C. 1063) (45 CFR 162.52). If no particular section of the regulation is affected, no citation to the Code of Federal Regulations (CFR) will be made.

(20 U.S.C. 1223(a))

CHAPTER II—GENERAL INFORMATION FOR THE APPLICANT

Part 1—General Information

Sec. 1.1 *General.* The Reading Academy Program provides grants to State and local educational agencies, institutions of higher education, and community and other nonprofit organizations to provide exemplary reading assistance and instruction to functionally illiterate youths and adults not reached through other reading programs. The instruction is to be provided in facilities to be known as reading academies. While there are a variety of ways that an applicant may plan for, and then implement, a reading academy, the following suggestions and guidelines are intended to provide assistance which may help in developing a project to meet the requirements, or in implementing a funded project.

(20 U.S.C. 1063) (45 CFR 162.50)

Part 2—Planning

Sec. 2.1 *General planning information.* The regulations set out several requirements concerning a description of an applicant's proposed project which can be met only if adequate planning has been done for developing the project. In planning, it is generally helpful to go through the following steps:

(a) Identification of the problem (needs assessment);

(b) Analysis of community resources;

(c) Community involvement;

(d) Establishing objectives and strategies to solve the problems; and

(e) Staff development.

(20 U.S.C. 1063) (45 CFR 162.52(a)(1))

Sec. 2.2 *Identification of the problem.* To determine the number and characteristics of youths and adults with reading problems in a given area, and, therefore the type of reading academy program which will best solve the problems, the following types of information are relevant:

(a) The yearly percentage of adults and youths who do not finish elementary and secondary school;

(b) The number of youths and adults who may be defined as functionally illiterate;

(c) The age range and sex of target groups (between 16-20, 21-35, over 35);

(d) The ethnic backgrounds of the target groups;

(e) The non-English-speaking populations;

(f) The estimated income levels of target groups (below $3,600, $3,600 to $7,200, and so forth);

(g) Their career goals and employment profiles (number of full-time, part-time, and unemployed; whether skilled, semi-skilled, unskilled); and

(h) Identification of the neighborhoods where the target population lives.

(20 U.S.C. 1063) (45 CFR 162.52(c)(2))

Sec. 2.3 *Identification of community resources.* Knowledge of what educational services are available to adults in their communities is helpful in determining how a reading academy should be structured to supplement existing services or to build bridges between agencies and services. Information may be obtained by making an inventory of community agencies, service organizations, local business and industry, State agencies, local and federally funded programs; and by identifying which agencies might be helpful in identifying and recruiting participants and/or serving as sources of volunteers, providing materials and facilities, providing publicity, offering special expertise in training volunteers, or having the capability of sponsoring or housing reading academy branches in neighborhood facilities convenient to participants.

(20 U.S.C. 1063) (45 CFR 162.53(d)(5) and (6))

Sec. 2.4 *Community involvement.* Involving diverse segments of the community in planning, developing and operating a project increases the possibilities for greater project success. Applicants are encouraged to consider developing an effective structure of involvement entailing extensive planning on the part of each applicant (and follow-up planning by each grantee). Recognition of the competence and interest of a variety of groups both within and outside formal educational institutions in planning and operating project activities may result in programs which can best meet the needs of the target population and sustain the interest and support of the community. As one means of ensuring community involvement, the regulations require establishing a unit task force. Further guidance on the unit task force is provided in Part 7 of these guidelines.

(20 U.S.C. 1063) (45 CFR 162.52(c)(6) and (c)(9))

Sec. 2.5 *Establishing objectives.* (a) Section 162.52(a) of the regulations requires the applicant, having identified the needs of functionally illiterate youths and adults in a given area, to develop objectives that relate to the overall project activities. A number of provisions in the regulations also concern the meeting of participants' individual needs (§§ 162.52(c)(4)(i), 162.53(c)(1) and (2)). To do this, it is suggested that participants in a project be involved with their tutors in the formulation of their own learning objectives. Objectives allow participants and staff to see what behaviors must be demonstrated for successful completion of the program, in addition to allowing them to evaluate their own progress toward the successful accomplishment of the objectives. For the project director and the teachers, the objectives serve to identify problems encountered by the learners at various stages, providing the opportunity for revising the learning approaches utilized. Furthermore, clearly stated objectives for individual participants make it possible to evaluate learner progress as well as the instructional design's effectiveness; and

(b) With respect to overall project objectives called for in § 162.52(a) of the regulations, objectives in three areas might be identified: operational objectives, instructional objectives, and product objectives.

(1) Operational objectives refer to the goals for the processes that are necessary to carry out the project, such as recruiting and teaching participants and recruiting and training volunteer and other teaching and administrative staff;

(2) Instructional objectives refer to the goals for changes in students' (and staff members') cognitive and affective behavior (see Part 4—Instructional Program); and

(3) Product objectives refer to goals in developing such material items as criterion-referenced tests, curriculum guides, or reading materials. It is useful to set out time schedules for the production of materials.

The effectiveness of the instructional program is likely to be directly related to the clarity of the operational objectives and the instructional objectives. The operational objectives, in addition to reflecting the total program planning design and the process necessary to carry out the program, are based upon the applicant or grantee agency's philosophy about adult education. The instructional objectives specify the observable results by which the project's activities can be measured. The instructional objectives set the stage for the specific behavioral objectives which will be achieved by the participants. Clarity of the objectives will also facilitate the selection of instructional materials.

(20 U.S.C. 1063) (45 CFR 162.52(a) and (c)(1) and (2); 162.53(d)(2))

Sec. 2.6 *Staff development.* The regulations set out several requirements designed to ensure that staff have adequate experience and expertise with adult education in non-school settings, literacy education, teacher or tutor training, recruitment of volunteers, administration, and knowledge of community resources. While any one person may not have all of the above experience or expertise, the staff as a whole should have these experiences, which should be enhanced by further training. The regulations do require that the project director assume responsibility for all aspects of the program.

(20 U.S.C. 1063) (45 CFR 162.52(b), (c)(7) and (8) and 162.53(d)(4) and (5))

Part 3—Participant Recruitment and Retention

Sec. 3.1 *Recruitment.* The regulations require developing and implementing a system to identify and recruit participants. Identifying and recruiting youths and adults who are functionally illiterate are sensitive and complicated tasks. Due to the social stigma attached to illiteracy, individuals are often too shy to admit that they cannot read. Many have developed a whole series of protective mechanisms to hide their disability from family and friends. In the past, the school failed to serve them adequately; consequently, they are suspicious of educational programs. It may be that the best way to identify and approach potential participants is to reach them indirectly through community, youth, and social organizations will help to establish awareness of the program. Other agencies such as social service agencies, State employment agencies, and the Department of Motor Vehicles might be encouraged to refer to the academy those persons they have identified as in need of basic reading instruction. In some communities, staff may have to organize door-to-door recruitment campaigns. Volunteers from local organizations have proven in the past to be very effective in these recruitment campaigns. Obviously, it is important to plan well in advance the types of recruitment strategies that are appropriate for a particular service area, to implement these plans as soon as possible after the receipt of the grant award. Applicants and grantees are encouraged to consider whether special emphasis might be given to plans for the participation of out-of-school youths, as experience has shown that this group is the most difficult to recruit into literacy pro-

grams and the most difficult to retain once enrolled.

(20 U.S.C. 1063) (45 CFR 162.53(c) (3) and (8) and 162.53(d) (6))

Sec. 3.2 Retention. Attracting functionally illiterate youths and adults to the reading academy project is only part of the effort needed to have a successful project. Keeping their interest with a relevant and interesting curriculum, and providing supportive services are additional elements of a successful program. Youths and adults come to reading programs with a variety of problems. For them, learning is never easy; they are quickly discouraged and need continual encouragement. Many are unemployed and looking for work. Some are employed in physically exhausting labor. Others must rely on public transportation or the generosity of friends in order to reach the academy. An applicant may have a more successful program if the staff is able to anticipate these and other problems which might cause the participant to drop out. Experience with successful adult literacy programs indicates that a project may need to include a referral service to appropriate social service and health agencies, provide help in cutting through red tape to gain a much needed service and, at times, provide minimal funds to offset the cost of transportation. In very isolated areas where public transportation does not exist, some projects have found that it is necessary to provide transportation to the instructional site. Applicants are encouraged to consider and provide for these elements as appropriate.

(20 U.S.C. 1063) (45 CFR 162.53(d) (4), (8), and (6))

Part 4—Instructional Program

Sec. 4.1 Program. The regulations require that an exemplary program of reading assistance be developed for teaching the functionally illiterate youth and adult target population. It is hoped that programs will be planned to provide participants with opportunities for immediate reading success, practice of reading and related skills, and positive reinforcement. A more successful program may result where supervisory and teaching staff have an understanding of the process of reading development for adults, of how to assess a participant's reading ability, a working knowledge of available instructional print and other media materials suitable for adults, and the ability to exercise creativity in developing instructional programs. A program more relevant to the needs and interests of the target population may be developed if representatives of the target population and the community are involved in planning and implementing the project.

The Right to Read Office of the U.S. Office of Education does not advocate any one method or set instructional materials; rather, it advocates that instruction be tailored to meet the needs of the individual learner. As a means of facilitating individualization, applicants are urged to adopt a diagnostic/prescriptive approach to instruction. This approach requires that each individual be diagnosed to determine the strengths and the needs he or she has regarding reading. Following the diagnosis, it is then necessary to prescribe a program of experiences utilizing appropriate materials and activities which will meet the needs which have been identified. Participant needs will dictate what kinds of materials should be used in the instructional process; since participants' needs will likely be varied, a variety of materials at different levels of difficulty may be required to provide necessary individualized instruction.

If English as a second language is a component of the instructional program, the participants should be given ample opportunity for practice of oral English.

(20 U.S.C. 1063) (45 CFR 162.53(c) (1) and (5) and 162.53(d) (3), (7) and (9))

Sec. 4.2 Materials. Choosing appropriate learning materials is an important part of the program. More learning is likely to take place if the materials are relevant to the backgrounds and immediate reading needs and interests of participants, and if the staff understands how the materials are to be used (and any prerequisites necessary to their use). Both commercially produced materials (adopted or adapted) and relevant teacher-made materials may be used together. The materials, whether commercially produced or teacher-made, should be realistic, practical, functional, usable, and reflective of the needs and interests of the participants.

Whenever appropriate, the native language and culture of the participants should be used as an integral part of the instructional program. Instruction is more meaningful if focused around real-life coping skills such as consumer education and consumer rights, the world of work, job application skills, job or vocation-related skills, and so forth. Teachers may also use a variety of materials such as newspapers, cooking recipes, various types of application forms, signs, or any other printed materials that are interesting and relevant to the adult and youth participants.

(20 U.S.C. 1063) (45 CFR 162.52(c) (1) and (5) and 162.53(d) (2) and (7))

Part 5—Evaluation

Sec. 5.1 General. The regulations require an evaluation component for each project providing for the collection, verification, and analysis of data to measure the extent to which the project objectives are accomplished and procedures for measuring the achievement of participants. Both process (formative) and impact (summative) evaluation should be conducted. Process evaluation can be defined as a timely examination of project activities that actually occur with a view to:

(1) How they correspond with what was promised;

(2) To what extent the activities appear to be effective; and

(3) How they can be improved by modification. Within this system, as each modification is implemented, the cycle would start again. In its simplest form, process evaluation can be defined as a management information system. Impact evaluation examines the final results and asks whether the objectives were achieved.

(20 U.S.C. 1063) (45 CFR 162.52(a) and 162.53(d)(1))

Part 6—Project Director and Staff

Sec. 6.1 Staff. The regulations require that:

(a) The project director and the staff have specified experiences and expertise in the areas of adult education and in non-school settings, literacy education, administration, teacher or tutor training, recruitment of volunteers, and knowledge of community resources; and

(b) The applicant develop a system whereby the project director assumes responsibility for directing the project and all of its activities, including communication, programming, and evaluation. The following discussion presents some practical considerations which may be helpful in meeting these requirements.

An enormous part of the responsibility for the program rests with the project director, and it is important that he or she spend a major part of his or her time on the project. A suitable candidate for the position of project director should be identified during the planning stage prior to submission of the application so that he or she may be hired as soon as approval is granted and, if possible, be involved in the planning of the program. Other staff, paid and volunteer, should be chosen to complement the experience and expertise of the project director as well as to carry out training and/or teaching functions. In areas with high concentrations of participants of limited or no English-speaking ability, the applicant is encouraged to actively recruit project staff who speak the same language as the participants and who are of the same ethnic background as the participants. The director is responsible for all project activities, evaluations, and communication concerning the project. It is important to establish efficient internal and external communication systems so that feedback to and by project staff, participants, and the community is timely and continuous. A determination should also be made as to which reports should be prepared about the program for the Office of Education according to the General Provisions Regulations (45 CFR Part 100a, Subparts F-R), and what communications might be desirable for informing the public about the existence of the program, its services, and accomplishments.

NOTE: Grantees will be provided with instructions and format for submission of required Office of Education reports.

(20 U.S.C. 1063) (45 CFR 162.52(c)(7) and (8) and 162.53(d)(8))

Sec. 6.2 Volunteers. (a) *General.* A review of the literature of volunteers in adult literacy programs and Right to Read program experience suggests that functionally illiterate youths and adults need instruction that is frequent, intensive, and personal. The limited financial resources available to the academy program necessitates that a project use imaginative schemes to insure that an academy offers this type of instruction. One effective way to stretch program funds is to enlist the aid of volunteers. Volunteer tutors, when given appropriate training and support, have been particularly effective in working with adults in reading programs.

Projects which put strong emphasis on the use of volunteers will need to develop detailed plans that include volunteer recruitment, preservice and inservice training, placement of volunteers and supportive services. The guidelines below present recommendations for projects which choose to make use of volunteer staff:

(b) *Recruitment.* If a project determines that it will rely on volunteer tutors, it should estimate the total number and types of volunteers it will need in order to form a resource pool of tutors and then set recruitment goals. Any plan to recruit volunteers should include identification of sources of volunteers (such as service organizations and college work study programs), establish working relationships with these groups, and launch a public awareness program through the media. The recruitment strategy should be designed to continue through the duration of the project and should take into account the traditionally high turnover rate of volunteers in the early part of any project;

(c) *Responsibilities.* It is helpful if job descriptions for volunteers are written and used as a basis for any recruitment campaign. These descriptions might include some indication of the type of commitment that will be expected from a volunteer. For example, "A tutor will teach reading to an individual adult, a minimum of three hours a week for thirty weeks," or "The tutor will participate in a number of preservice training sessions and periodic inservice training sessions"; and

(d) *Training.* Objectives for the training of volunteers should be clearly stated. Com-

orally, they would include both affective and cognitive behaviors. The training should develop an awareness of, and a sensitivity to, the needs of the target population, orientation to the community and its resources, some basic reading instructional approaches and skills, and a familiarity with the instructional materials. The training program goal is to lead to the establishment of a helping relationship between the tutor and the professional staff. This preservice training sequence could be anywhere from 18 to 48 hours in length and might be followed by inservice training and supportive service offered once the volunteer tutor is in the field. Regularly scheduled contact between the tutor and the professional staff of the academy is important. Inservice training needs will be as varied as the number and types of volunteers and participants involved in the program. General training sessions should be directed toward the resolution of problems common to all literacy programs; the informal followup services should concentrate on the resolution of specific problems.

(20 U.S.C. 1963) (45 CFR 162.52(c)(4) and (6) and 162.53(c) and (d)(7))

Part 7—The Unit Task Force

Sec. 7.1 Composition. The regulations require that a unit task force be established consisting of representatives from the applicant agency, youths and adults from the potential target population, representatives from community groups, other Federal or State programs, and business and industry. Some points that might be considered in selecting members of the unit task force are:

(a) Special care might be taken to select youths who have demonstrated leadership among their peer groups;

(b) Community groups which might be involved include social agencies, adult education programs, local action groups, the public library, youth organizations, labor unions and municipal agencies, and

(c) Federal and State programs might include Adult Basic Education, the Model Cities Program, manpower training programs, Neighborhood Youth Corps, State employment agencies and volunteer organizations, particularly those sponsored by Federal programs (such as the retired senior citizens programs and VISTA).

It is important to keep in mind that while the unit task force should be large enough to represent diverse groups and interests, it should not be so large that its size limits efficient operation. For some projects, a unit task force and several sub-unit task forces might be established. For instance, if several neighborhood facilities are used to provide reading instruction, different sub-unit task forces for each neighborhood facility might be established so that more grassroots involvement and identification are obtained.

(20 U.S.C. 1963) (45 CFR 162.52(c)(9))

Sec. 7.2 Responsibilities. The following are examples of functions which might be performed by the unit task force to satisfy the regulation requirement that it play an active role in planning and implementing the project:

(a) Assistance in program planning including the identification of the target population, the assessment of needs, and the selection of project activities and priorities;

(b) Recruitment of volunteers and assistance in the mobilization of community resources;

(c) Assistance in staff development programs for project staff and volunteers;

(d) Assistance in identifying agencies which might serve as sponsors of locations for neighborhood reading academies;

(e) Assistance in the dissemination of information about the project throughout the community; and

(f) Coordination of the project with other community groups, with professional organizations, and with public and private agencies.

(20 U.S.C. 1963) (45 CFR 162.52(c)(9))

CHAPTER III—A MODEL: ACADEMY CENTERS AND SATELLITES

Part 1—The Model

Sec. 1.1 General. Several of the funding requirements and evaluation criteria suggest and support the development of a model for a reading academy project. In short summary they are: that low-cost individualized instruction be provided at locations and times convenient to participants; that the community be involved, perhaps by providing community or neighborhood facilities; that because of the difficulty in reaching the target populations, the staff be knowledgeable about providing instruction in non-school settings and in recruiting volunteers to work with participants. A model is therefore suggested which would include an academy center where planning, programming, staff recruitment, training and evaluation would be conducted, and satellite academies which would be located in facilities in neighborhoods convenient to potential participants where instruction would actually be provided. Volunteer tutors would provide the one-to-one instruction and would individualize attention and assistance to participants.

This model is not given as the exclusive approach to meeting the requirements and criteria contained in the regulations, but as one possible approach recommended for consideration by applicants.

(20 U.S.C. 1963) (45 CFR 162.52(c)(3), (4)(6), and (7) and 162.53(d)(2) and (7)))

Sec. 1.2 Academy Centers. Under the model, the reading academy grantee would be responsible not only for carrying out an instructional program for youths and adults in a centralized reading academy, but also for developing a network of neighborhood-based or satellite academies staffed by trained volunteers who would provide instruction in the neighborhoods of the target population. The academy center would be responsible for developing a comprehensive volunteer system which would include recruitment and training of volunteers and placement of volunteer tutors in satellite academies. The academy center would also provide a wide variety of supportive services to the volunteer once he or she starts tutoring an adult, whether the instruction occurs at the center or in a neighborhood satellite academy. Such service might include help for the tutors in material selection, in diagnostic testing and instructional prescription. The center would provide specific services to participants such as education counseling, referral service to appropriate social service or health agencies, and job placement. The academy center, as part of its effort to launch neighborhood-based academies or satellites, would work with various community groups, neighborhood councils and with branch libraries to identify appropriate places to house the instructional programs which are convenient to the target population. It would also mobilize a variety of community resources to support the academy.

(20 U.S.C. 1963) (45 CFR 162.52(c)(3), (4), (6), and (7) and 162.53(d)(2) and (7))

Sec. 1.3 Satellites. The satellite academies would take instruction to the places that are most suitable, convenient and easily accessible to the adult participants. They could be housed in libraries, community centers, homes, places of employment, schools, YMCA's or in a variety of other appropriate facilities. The center might adopt any one of a number of strategies to implement the satellite concept. It could establish a satellite academy or a network of academies as a direct outgrowth of its own operation and carry the full responsibility for its management. Under this arrangement the center would identify and obtain community facilities but without further commitment from an organization. In communities with already established literacy programs, the center might establish a cooperative arrangement whereby it would provide certain specified professional services. In other communities the center could work through local organizations which would be willing to sponsor an academy, provide facilities and serve as a source of volunteers. Whichever arrangements are made for the establishment of a satellite academy, it would have a coordinator who would be responsible for recruiting participants who lived in the neighborhood, scheduling sessions with tutors and participants, maintaining a communication link between the tutor and participants, keeping records (attendance, progress charts, test scores), storage of instructional materials, and making sure that facilities are available as scheduled.

(20 U.S.C. 1963) (45 CFR 162.52(c)(3), (4), (6), and (7) and 162.53(d)(2) and (7))

[FR Doc.76-15296 Filed 5-25-76;8:45 am]

APPENDIX 1 C

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

FEB 15 1977

Mr. John F. Jennings
Committee on Education & Labor
House of Representatives
Room B346-C, Rayburn HOB
Washington, D.C. 20515

Dear Mr. Jennings:

With this letter, I am continuing the regular transmittal to you, and to other interested members of the Congress, of the results of major planning and evaluation studies carried out on programs and policies sponsored by the U.S. Office of Education.

I am enclosing a recently completed executive summary of a study conducted under contract by Applied Management Sciences, Inc., of Silver Spring, Maryland which was concerned with the effects the state program has had at the state education agency and local education agency levels in the 31 States which entered the Right To Read program during Phase I (1972-73) and Phase II (1973-74).

The analyses are based on data obtained in visits to the 31 state education agencies, visits to three local education agencies randomly selected from those local education agencies in the state that had participated in Right To Read for at least one year, and the results of a mail survey of a 50-percent sample of local education agency Right To Read directors within each state whose programs had been affiliated with Right To Read for at least one year.

The objective of the study was to determine the extent to which the Phase I and Phase II State Right To Read Programs have been able to achieve their objectives in critical administrative areas.

The results show that the State Right To Read Programs have made considerable effort to involve large numbers of local school districts in Right To Read. Training of local school district Right To Read directors has been a major focus of activity. States will continue their Right To Read programs

even in the absence of Federal funds. The major programmatic focus has been at the elementary school level. Reading has been established as a top priority in State Education Agencies. Thus, it would appear that the State program has accomplished one of its primary objectives, namely, that of producing a strong "multiplier effect" manifested by involvement of local districts and State Education Agencies in implementation of the Right To Read strategy.

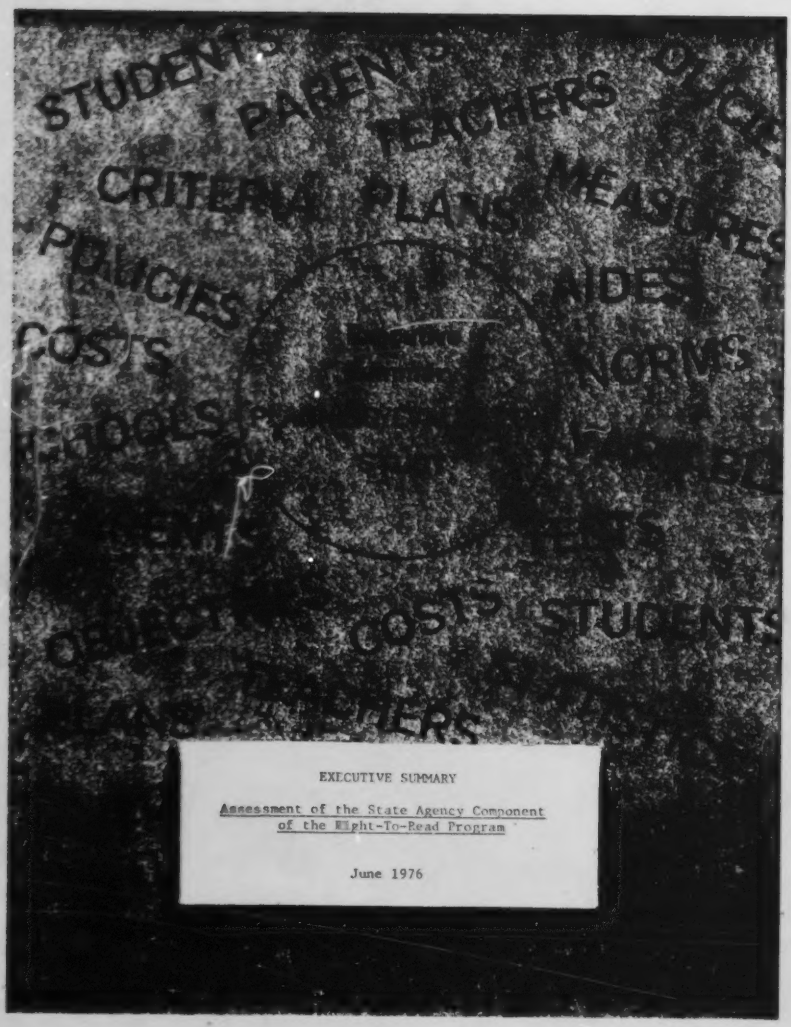
None of the outcomes of this study relates directly to reading achievement fostered by the State component. This study was designed solely to assess the type and level of activities which have been fostered by the State component of Right To Read funding.

Further information on this study may be obtained from the Office of the Assistant Commissioner for Planning, Budgeting and Evaluation through Dr. Robert C. Hall, 400 Maryland Avenue, S.W., Room 4083, Washington, D.C. 20202, Telephone (202) 245-8380.

Sincerely,

John W. Evans
Assistant Commissioner for
Planning, Budgeting and
Evaluation

Enclosure



EXECUTIVE SUMMARY

Assessment of the State Agency Component of the Right-To-Read Program

June 1976

ASSESSMENT OF THE STATE AGENCY COMPONENT OF THE RIGHT-TO-READ PROGRAM

EXECUTIVE SUMMARY

Background:

This summary highlights findings of a study of the Office of Education's Right-To-Read Program conducted by Applied Management Sciences for OE's Office of Planning, Budgeting, and Evaluation (OPBE) from July, 1975 to June, 1976.

The Right-To-Read Program is part of a National effort to eliminate illiteracy. Right-To-Read has established two major program goals: (1) to focus national attention on the fact that close to 19 million adults and 7 million children in the United States are functionally illiterate; and (2) to encourage, coordinate, and facilitate efforts by government (Federal, State, and local), industry, foundations, public interest groups, professional associations, schools, and adult training centers to improve reading instruction for all age groups.

The State Education Agency component of the OE Right-To-Read program is one facet of the national Right-To-Read effort. Other components include School-based and Community-based programs. The purpose of the State component is to assist State Education Agencies (SEA's) in disseminating the Right-To-Read strategy among the Local Education Agencies (LEA's), and in coordinating activities and support services of the Right-To-Read Program in these school districts.

Methodology:

This study investigated the various activities of the State Right-To-Read Program in order to determine what effect it has had on State Education Agencies and Local Education Agencies in the 31 States which entered the Right-To-Read Program during Phases I and II.[1/] The analyses are based on data obtained in visits to the 31 State Departments of Education, visits to three Local Education Agencies randomly selected from those LEA's in the State that had participated in the Right-To-Read Program for at least one year, and the results of a mail survey of a 50 percent sample of LEA Right-To-Read Directors whose programs had been affiliated with Right-To-Read for at least one year.

1/ Phase I States entered the Right-To-Read Program in 1972-73, and Phase II States entered in 1973-74.

95-243 O - 77 - 32

Applied Management Sciences also carried out case studies of the State Component of the Right-To-Read Program which describe how these programs operate in these 31 States. The analyses of the activities across the 31 States constitutes Volume I of this report[2]; individual State Profiles constitute Volume II; and data collection instruments constitute Volume III.

Findings:

State Right to Read Programs have made considerable efforts to involve large numbers of local districts in Right to Read.

- Although none of these States had been involved in the program for more than three years at the time the data were gathered (the Phase II States had only been involved for two years), 16 percent (5) of the State Directors reported that all districts in their State were already involved in the State program, and 58 percent (18) reported that all districts in the State would be involved sometime within the next four years. In 20 percent (6) of the States, the Right-To-Read Program had been operational in at least 40 percent of the schools in the State for a minimum of one year as of January, 1976.

Training has been a major focus in the State Right to Read programs.

- The 31 States have provided Right-To-Read training to 904 local district Right-To-Read Directors in the first program year, 1,600 in the second program year, 2,023 in the third program year, and 150 in the fourth program year[3], and have provided training to 2,870 principals and 9,267 teachers. The number of hours of training provided to these persons varied from 30 to more than 200.

Data indicated that Right to Read will continue in many States even in the absence of Federal funds.

- In almost half (15) of the States, the Chief State School Officer, the State Assistant Superintendent for Instructon, and/or the State Right-To-Read Director reported that the Right-To-Read Program would definitely continue in some capacity in the event that Federal support was terminated, even if no other Federal resources were found. An additional six States indicated the program would be continued if other resources could be identified.

[2] Gross, S., et al., An Assessment of the State Agency Component of the Right-To-Read Program, Volumes I, II, and III, Applied Management Sciences, Silver Spring, Maryland, June, 1976.

[3] Many Directors have received training for two or more years.

- Bills relating to reading have been introduced in the legislatures of at least 81 percent (25) of the States, and certification requirements relating to reading have been strengthened in the past two years in 65 percent (20) of the States. While neither of these outcomes can be specifically attributed to Right-To-Read, they are indicative of the climate within which Right-To-Read is operating in most of these 31 States.

The major programmatic focus of Right-To-Read has been at the elementary level.

- In all of the 31 States, Right-To-Read programs have been implemented to at least a minimal degree across all school levels. In nearly all States, the programs have the greater participation by far at the elementary level.

Reading has been established as a top priority in State Education Agencies.

- State Education Agencies and Local Education Agencies have been successful in contributing to the establishment of reading as a top priority. Ninety-two percent (23) of the Chief State School Officers[4] reported that reading was cited as a major educational objective by the State Board of Education or that an official proclamation had been issued by the Governor's office in support of the Right-To-Read effort.

Thus, it would appear from the points illustrated above, that the program has accomplished one of its primary objectives, namely that of producing a strong "multiplier effect" manifested by involvement of local districts and State Education Agencies in the implementation of the Right-to-Read strategy.

The results of this study also indicated that there are several areas of the Right-To-Read Program in which improvement is needed.

Local district Right-To-Read programs showed fuller implementation where there was a full-time director.

- There was a higher proportion of implementation of the Right-To-Read Program in local districts where there was a full-time local Director than where the Director was part-time, yet only 13 percent (70) of the district-level programs now have full-time directors.

[4] Data were received from only 26 of the 31 Chief State School Officers.

Local district directors desired changes in technical assistance delivery.

- Technical assistance has been provided to all participating Right-To-Read Districts through the use of workshops and/or conferences. Local district staff stated that workshops and conferences were effective in introducing them to the concepts of the Right-To-Read-Program. However, over 40 percent of the local district Right-To-Read Directors have indicated that the technical assistance they are currently receiving does not meet present needs.

Coordination of Right-To-Read with Adult Basic Education was found lacking in local districts.

- The State Right-To-Read Program has addressed adult reading needs by communications with the State Director of Adult Basic Education in 89 percent (25) of the States. At the local level, information was gathered pertaining to the relationship of local adult basic education programs to the local Right-To-Read Program. In 45 percent (14) of the 31 States visited, there were no adult basic education programs coordinated with the local Right-To-Read programs that were selected for this study; in another 29 percent (9) of the States, only one out of three local sites selected proved to have adult basic education programs associated with the Right-To-Read effort. Thus, in educational agencies sampled, there was more coordination of Right-To-Read and adult basic education at the State level than at the local level.

Improvements needed in communication.

- An important aspect of the effectiveness of the Right-To-Read Program is the extent to which communication between the SEA and LEA's is increased. The questions of "how can the Right-To-Read Program be improved?" and "what problems have arisen as a result of Right-To-Read?" were addressed to LEA teachers and administrators as well as State Education Agency personnel to obtain their ideas concerning Program improvement. The responses to these questions lead to the conclusion that more effective communication links need to be established between the SEA component of Right-To-Read and LEA classroom teachers. This conclusion is based on data revealing that:

  1. At least 25% of LEA administrators indicated the need for more involvement in and support of Right-To-Read from teachers;

2. At least 33% of SEA personnel and LEA administrators, and 25% of the teachers indicate that some of their group object to and/or are slow to accept the Right-To-Read strategy;

3. At least 15% of all respondents indicate that teachers feel reading is emphasized at the expense of other programs; and

4. At least 40% of LEA principals indicate that some teachers feel they are not prepared in terms of Program content to carry out the Right-To-Read strategy.

The State Right-To-Read Task Force was functioning at a minimal level.

- The Task Force set up by regulations governing the Right-To-Read Program "shall consist of representatives of all programs within the State educational agency involving or related to reading activities," and "the task force shall serve as a means of securing collaboration, with respect to the planning and implementation of the project...among representatives of different programs within the State agency involving or related to reading activities and also as a means for insuring that the project is effectively coordinated with other reading activities of the State Educational agency." Data from the State Right-To-Read Director and State Assistant Superintendent for Instruction indicated that coordinating activities were carried out by them, rather than by the Task Force, which therefore appears to be functioning at a minimal level of usefulness in many States.

The State Right-To-Read Advisory Council was not effective in dissemination activities.

- Dissemination of information and other activities to win public support were not a high priority in the State Educational Agency. Conduct of these activities is the stated responsibility of the Advisory Council, but it was indicated in State and local ratings that the Advisory Council is not effective in dissemination or in winning public support. In addition, the composition of most Advisory Councils does not meet national Right-To-Read Program guidelines in terms of numbers of women and minorities.

Distribution of Right-To-Read services to local districts was not in agreement with national guidelines.

- Thirty-nine percent (12) of the States used the following criteria to distribut Right-to-Read services to school districts in the State:

.. geographic representation;

.. student population.

The major criterion used to select local districts for participation in Right-To-Read in the remaining 61 percent (19) of the States was willingness of the local district to comply with the terms of the agreement/contract and enter the Right-To-Read Program. This, again, is not totally responsive to the national guidelines which specify selection of local districts according to geographic representation, student population, and needs assessment.

Program evaluation was not linked to accomplishment of objectives.

- Over two-thirds of the States and over half of the districts visited indicate that evaluation of the Right-To-Read Program has taken place. However, there was no evidence of State Program emphasis on the assessment of the measurability and feasibility of local district objectives. There was no apparent emphasis on accomplishment of activities according to a planned schedule on evaluation of the accomplishment of these objectives.

Adults were not usually included in State and local needs assessments in reading.

- Although needs assessments in reading had been conducted in 93 percent (29) of the States and 91 percent (83) of the districts, only 19 percent (6) of the States have conducted an assessment of adult reading needs.

It should be noted that none of these outcomes relates directly to reading achievement on the part of students. This study was designed solely to assess the type and level of activities which have been fostered by the State component of Right-To-Read funding.

APPENDIX 2-A

ASSISTANCE TO STATES FOR STATE EQUALIZATION PLANS

SEC. 842. (a) (1) Any State desiring to develop a plan for a program of financial assistance to local educational agencies in that State to assist such agencies in the provision of free public education may, upon application therefor, be reimbursed for the development or administration of such a plan in accordance with the provisions of this section. Each plan developed pursuant to, or which meets the requirements of, this section shall be submitted to the Commissioner not later than July 1, 1977, and shall, subject to the provisions of this section, be consistent with the guidelines developed pursuant to paragraph (3). Such plan shall be designed to implement a program of State aid for free public education—

Reimbursement to States. 20 USC 246.

Submittal to Commissioner.

(A) which is consistent with such standards as may be required by the fourteenth article of amendment to the Constitution; and

(B) the primary purpose of which is to achieve equality of educational opportunity for all children in attendance at the schools of the local educational agencies of the State.

(2) The Commissioner shall develop guidelines defining the principles set forth in clauses (A) and (B) of paragraph (1). Not later than April 1, 1975, the Commissioner shall publish such guidelines in the Federal Register and submit such guidelines to the President of the Senate and the Speaker of the House of Representatives.

Guidelines. Publication in Federal Register; submittal to President of Senate and Speaker of House.

(3) During the sixty-day period following such publication, the Commissioner shall provide interested parties with an opportunity to present views and make recommendations with respect to such guidelines. Not later than July 1, 1975, the Commissioner shall (A) republish such guidelines in the Federal Register, together with any amendments thereto as may be merited and (B) publish in the Federal Register a summary of the views and recommendations presented by interested parties under the preceding sentence, together with the comments of the Commissioner respecting such views and recommendations.

Republication in Federal Register.

(4) (A) The guidelines published in accordance with paragraph (3), together with any amendments, shall, not later than July 1, 1975, be submitted to the President of the Senate and the Speaker of the House of Representatives. If either the Senate or the House of Representatives adopts, prior to December 1, 1975, a resolution of disapproval of such guidelines, the Commissioner shall, prior to December 15, 1975, publish new guidelines. Such new guidelines shall take into consideration such views and policies as may be made in connection with such resolution and shall become effective thirty days after such publication.

Submittal to President of Senate and Speaker of House.

New guidelines.

(B) A resolution of disapproval under this paragraph may be in the form of a resolution of either the Senate or the House of Representatives or such resolution may be in the form of a concurrent resolution of both Houses. If such a resolution of disapproval is in the form of a concurrent resolution, the new guidelines published in accordance with the second sentence of subparagraph (A) of this paragraph shall be consistent with such policies as may be established by such concurrent resolution.

Resolution of disapproval.

(C) If each of the Houses adopts a separate resolution with respect to guidelines submitted in accordance with this paragraph for any year and in connection therewith makes policy statements which differ substantially, then such differences may be resolved by the adoption of a concurrent resolution by both Houses. Any such concurrent resolution shall be deemed to be adopted in accordance with subparagraph (B).

(b) Any State developing a plan pursuant to this section may reject any guidelines developed and published under subsection (a) of this section if such State, as a provision of its plan, states the reasons for each such rejection.

Reimbursement to States, limitation.

(c)(1) Each State that develops a plan under this section shall be reimbursed for the reasonable amounts expended by the State in the development or administration of such a plan based upon the ratio of the population of that State to the population of all States except that no State shall receive less than $100,000 and no State shall receive more than $1,000,000.

"State."

(2) For the purposes of this section the term "State" means the fifty States.

APPENDIX 2-B

TITLE 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 156—ASSISTANCE TO STATES FOR STATE EQUALIZATION PLANS

Notice of proposed rule making was published in the FEDERAL REGISTER on April 9, 1975, at (40 FR 16086) setting forth regulations and guidelines prescribing requirements and criteria for the administration of Section 842, Part D, Title VIII of the Education Amendments of 1974 (20 U.S.C. 3461, Pub. L. 93-380 (enacted August 21, 1974). Section 842 authorizes funds to reimburse States for costs incurred in the development or administration of a plan for costs incurred in the development or administration of a plan for equalization of State and local school finance programs. Such plans must be consistent with the provisions of the Fourteenth Amendment, and have as their primary purpose achievement of equality of opportunity for all children enrolled in schools in the State's local educational agencies. Interested parties were given 60 days in which to present views and make recommendations regarding the proposed regulations and guidelines.

Pursuant to the provisions of Section 842(a)(3) of Pub. L. 93-380, following is a summary of the views and recommendations submitted by interested parties and the comments of the Commissioner respecting such views and recommendations.

Comment. One commenter questioned the proposed definition of administration in § 156.3(b) as implementation activities only.

Response. The proposed rule set forth in § 156.3(b) defines administration as costs associated with implementation and

installation of a plan. Nothing in the Act or its legislative history indicates that reimbursement is intended for on-going normal costs for administering a State school aid program. To the contrary, the Act is intended to encourage the development and implementation of new school finance programs."

Comment. One commenter suggested that the language of the proposed rules be modified to make clear that expenditures for the improvement of a State plan are also eligible for reimbursement under the Act.

Response. The Commissioner concurs with this suggestion and has modified the language of § 156.3(c) to indicate that development means formulation or improvement of a State program of financial assistance.

Comment. Five comments were received in reference to § 156.4(a). Four of the commenters expressed the view that in many instances State agencies and instrumentalities other than the State educational agency would be the most appropriate applicant for the purposes of Section 842, and consequently objected to the proposed rule which would make the State educational agency the eligible applicant unless State law designated or created another eligible applicant. One commenter supported the proposed rule and pointed out that the State educational agency was more likely to achieve an objective and nonpartisan approach to school finance planning than a political agency or body.

Response. The rule takes the approach of establishing a process whereby the State would determine the eligible applicant. If the State through its legal authority does not specifically create or designate an applicant other than the State educational agency, then the State educational agency would be considered the sole eligible applicant. The exercise of such authority is not delimited to legislative authority but would also include any specific authority under State law of a Governor to designate or create an eligible applicant for this Act. This regulation presumes that the State educational agency will be the primary eligible applicant. Only if State law specifically directs otherwise will the State educational agency not be the eligible applicant. The rationale for this approach is based on the fact that the State educational agency in all but a few States administers the State aid program and is assigned general authority by State law to carry out school finance planning and developmental activities.

These agencies historically have played a central role in school finance planning and reform and have been particularly active in recent years in this regard. However, if in a particular State, the State educational agency is clearly not considered the appropriate body to apply as an applicant under this Act, then the proposed rule would give a State the opportunity to designate the applicant.

Comment. Two commenters requested that the rules be modified to require that local educational agencies and appropriate groups and interests be provided a period to review and comment on any State school finance plan prior to its submission to the Commissioner under the provisions of Section 842.

Response. The Commissioner concurs with these views and accordingly has added a new provision to § 156.4 which requires that local educational agencies and other interested parties be provided an opportunity to present views and make recommendations on a State plan which will be submitted under the provisions of Section 842, and that all such written or recorded views and recommendations be submitted to the Governor with the State plan for comment. This requirement is intended to encourage concurrence within the State of affected parties regarding the State plan.

Comment. One commenter suggested that the rules be modified to require an opportunity for local educational agencies to comment annually on the State finance plan and its supporting budget.

Response. The Commissioner's authority under Section 842 can only relate to the content of a State plan and the processes and procedures by which it is developed.

Comment. One commenter suggested that the State plan should be submitted to the State planning and development clearinghouse with respect to OMB Circular A-95.

Response. It is the opinion of the Commissioner that OMB Circular A-95 does not require that the State plans contemplated by this program be submitted to the State clearinghouse established with respect thereto. It is felt that these regulations and guidelines make sufficient provision for the notification and review by State and local governmental agencies as well as other interested parties as regards any application that is to be submitted under this part. Specifically, it is believed that sections 156.4, 156.5 and 156.16, as revised will encourage and facilitate coordinated development planning on an intergovernmental basis, in addition to allowing for appropriate public participation.

Comment. One commenter requested additional language clarifying procedures for amending the State plan.

Response. State plan amendment procedures are set forth in the applicable General Provisions Regulations in Part 100a of this chapter.

Comment. Section 156.5(b) of the regulations states that ". . . applications for reimbursement may be submitted for plans developed prior to or subsequent to the effective date of Section 842 of the Act or for a plan the State proposes to develop." One commenter asked if there was a limit as to how far the prior period could extend.

Response. While the law and its legislative history clearly intend that retroactive reimbursements be permitted if a State chooses to seek reimbursement for past effort, no specific guidance was given regarding a limit as to how far the prior period for retroactive reimbursements might extend. The Commissioner is confident, however, that States seeking retroactive reimbursements will exercise a rule of reasonableness and request reimbursements only for school finance planning or implementation efforts carried out within a period reasonably contemporaneous to the enactment of this provision.

Comment. One commenter asked that the parameters of the term "substantive basis" in § 156.5(e) be defined.

Response. The term "substantive basis" requires that the State respond to the requirements of Section 842(b) of the Act in good faith and that the statements in support of each rejection of a guideline address the actual policies, issues, or conditions which led to the rejection.

Comment. One commenter advocated that the concept of negotiation between State and Federal authorities be emphasized within the scope of the proposed rules.

Response. While State plans, proposals, and reimbursement requests must be reviewed in terms of the requirements of the Act, it is the Commissioner's intention that the review and approval process will result in mutual agreement by both State and Federal authorities.

Comment. Two commenters suggested that § 156.5(f) be elaborated to require coordination and involvement of specific State agencies and of local educational agencies because the operation of such agencies and subdivisions are directly affected by State school finance plans.

Response. The Commissioner feels it would be unwise to designate specific State agencies which must be coordinated with or involved in State plan development or implementation because these agencies will differ from State to State. However, the Commissioner concurs with the suggestion that local educational agencies be consulted and involved in this activity and has modified the language of § 156.5(f) accordingly.

Comment. Two commenters inquired when information would be available on each State's reimbursement entitlement under Section 842.

Response. After an appropriation is made for Section 842, the National Center for Educational Statistics will prepare a table setting forth the allocation of funds for each State under the Act. The table will be expeditiously disseminated to all interested parties.

Comment. One commenter asked what census data will be used in determining State allocations under the Act.

Response. For a FY 1976 appropriation, 1973 Bureau of the Census population estimates will be used in calculating State allocations. For a FY 1977 appropriation, 1974 population estimates will be used.

Comment. One commenter requested that § 156.6 be clarified to indicate that no State will be eligible to receive less than $100,000 in reimbursement payments under the Act.

Response. The proposed rule, § 156.6 (b) clearly states that any calculation of reduced entitlement to a State is subject to the provisions of section 842(c)(1) of

the Act which states that no State shall receive less than $100,000.

Comment. One commenter asked if the July 1, 1977, requirement set forth in § 156.7(b) applied to both State plans and proposals to develop State plans.

Response. The language refers only to State plans. A cut off date for submission of proposals to develop a State plan will be established and published in the FEDERAL REGISTER. Such date will be established sufficiently in advance of July 1, 1977, to permit the development of a State plan. It is contemplated that such notice will be published during the first fiscal year for which funds are made available for purposes of this program.

Comment. One commenter requested a definition of the language "adequate educational programs" which appears in § 156.11 of the proposed rules.

Response. The Commissioner agrees that the language is vague and in itself communicates no general meaning of what is meant by "adequacy." Accordingly, § 156.11 has been rewritten to indicate that each State must determine what is the level of programs, services and facilities adequate to assure equality of educational opportunity for pupils within the State, must calculate the cost of providing them and must consider such educational and financial factors in the development of its financial assistance plan.

Comment. One commenter requested that § 156.12 be broadened to include research into questions of municipal overburden.

Response. While the equity guidelines do not specifically mention the problem of municipal overburden, the language § 156.14(a) which requires a State to verify an equitable measure of the relative financial ability of local educational agencies would permit studies of the problem of municipal overburden in a State.

Comment. One commenter suggested that the rules be modified to prescribe specific groups of children who are in need of additional educational opportunities.

Response. The proposed rules do illustrate in § 156.13 types of programs and pupils which the State plan might recognize. However, because the types of pupils needing special educational programs and the types of programs to meet these needs will vary from State to State, the Commissioner felt that the State through the plan development process was best able to determine the categories of pupils and types of programs which should be recognized in the State plan.

Comment. Two commenters suggested minor changes in the language of § 156.13 to strengthen and clarify the meaning of the guidelines related to the comprehensiveness of the program.

Response. The Commissioner concurs with both suggestions and accordingly has deleted the phrase "when appropriate" and added after the words "such as" the phrase "but not limited to."

Comment. One commenter asked if the language in § 156.13(b) referred to cost-of-living indices.

Response. To the extent that cost-of-living indices measure variations in the costs of providing equivalent resources, then such measures are included within the meaning of the language.

Comment. Two comments were received in reference to § 156.14 expressing concern that the proposed rule was so strict that a few if any State equalization plans would satisfy its requirements.

Response. The Commissioner is aware of the strictness of the guidelines regarding equalization of financial ability. This proposed guideline and the other equity guidelines are not intended to distinguish those programs which incorporate a "reasonable" or "acceptable" level of equity. Rather the guidelines set forth in § 156.11 through § 156.18 are a statement of what should be aimed for and not necessarily a statement of what can always be expected.

A State equalization plan which does not fully satisfy § 156.14 or any other of the equity guidelines may nevertheless be considered eligible for reimbursement since the provisions of Section 842(b) of the Act permits a State to reject any of the equity guidelines if it states the reason for any such rejection.

Comment. One commenter suggested that language be added to § 156.14 which would require that wealth be measured in terms of family income and property valuation.

Response. While § 156.14 would not preclude the use of such a combination of factors in the measurement of wealth, it would be inappropriate for the Commissioner to require the inclusion of any specific factor or factors in the measurement of wealth because the conditions related to such consideration vary substantially from State to State.

Comment. One commenter objected to use of the word "quality" in § 156.14 because it was undefined.

Response. The Commissioner concurs with the objection and accordingly has deleted the phrase "quality of the" and substituted the phrase "resources expended for the" to clarify the purpose of the guidelines which is to require fiscal neutrality.

Comment. One commenter asked what types of assurances are required by § 156.14(b) regarding uniformity in the measurement of wealth.

Response. A statement is required to the effect that the procedures will be applied. A State may submit documentation in support of the assurances if it desires.

Comment. Two commenters were concerned that the proposed rule § 156.15 on tax support which requires that the State's financial assistance plan be financed by an equitable tax system be broadly and flexibly interpreted.

Response. The Commissioner realizes the difficulty of applying this guideline in an evaluative sense to a State finance plan. State and increasingly local tax structures are comprised of a variety of tax bases. Without earmarked tax sources it is difficult to relate specific tax bases to a specific category of expenditure such as education. Secondly, there is considerable disagreement among economists as to the equity of various taxes and particularly the property tax which is a primary tax base for education.

Essentially this guideline is proposed in order to challenge State school finance planners to examine the revenue source dimension of school finance and to focus attention on the importance of tax structure equity as it relates to school finance.

Comment. One commenter suggested that language be added to § 156.15 which would require that in determining the relative ability of taxpayers to pay taxes that the total tax burden on taxpayers be taken into account.

Response. While § 156.15 would not preclude the recognition of municipal overburden factors, it would be inappropriate for the Commissioner to require such recognition because the conditions related to such consideration vary substantially from State to State.

Comment. One commenter suggested that § 156.16 be revised to positively encourage citizen participation.

Response. The Commissioner concurs with the suggestion and has revised the guideline accordingly.

Comment. One commenter suggested that the phrase "to the extent possible" be deleted from the language of § 156.16 in order to strengthen the intent of the guideline.

Response. The Commissioner concurs with this suggestion and accordingly has deleted the phrase.

Comment. One commenter asked if the phrase "educational programs, supportive services, and facilities" which appears throughout the proposed rules includes such resources as textbooks.

Response. Textbooks are considered as an integral resource to a school program.

Comment. Numerous comments have been received that the proposed guidelines made no reference to efficiency in the delivery of educational services and in school district organization.

Response. The Commissioner agrees with the comments that efficiency is an important element in the development of a State system of school finance and that an amendment with respect thereto is merited. Accordingly, a new § 156.17 has been added to provide that a State financial assistance plan shall encourage these objectives. In addition, proposed § 156.17 has been renumbered § 156.18 to reflect this change.

Comment. One commenter stated that the proposed regulations and guidelines, in substantial part, fail to conform to the standards relating to programs of State aid required by the Fourteenth Amendment, as set forth by the United States Supreme Court in *San Antonio School District v. Rodriquez*, 411 U.S. 1 (1973), by imposing conditions not contemplated by the Court. In particular, the commenter stated that proposed Sections 156.14, 156.15 and 156.17 conflicted with the Congressional direction that the Office of Education establish a program consistent with such standards.

Response. Section 842 requires that the State plan designed to implement a program of State aid for free public educa-

tion submitted to the Commissioner be consistent with such standards as may be required by the Fourteenth Amendment (20 U.S.C. 246(a)(1)(A)). Insofar as the Fourteenth Amendment may impose certain requirements, the State plan must, as a minimum, be consistent with them. Section 842 requires that the State plan must also have as a primary purpose the achievement of equal educational opportunity for all children attending schools of local educational agencies in the State (20 U.S.C. 246(a)(1)(B)).

Under Section 842 the Commissioner is directed to issue guidelines generally defining the possible methods of attaining these two principles (20 U.S.C. 246(a)(2)). Thus, the standards which may be required by the Fourteenth Amendment, as defined by the guidelines, serve as one of the bases upon which a State plan must be founded. The guidelines may not require less than what the Fourteenth Amendment requires, but may require more in order to assure, in the Commissioner's judgment, that the State plan's primary purpose is the achievement of equality of educational opportunity for all children enrolled in schools in the State's local educational agencies. (Sen. Rep. No. 93-763, at 103 (1974)).

In the Rodriquez case, the Court did not purport to establish identifiable standards required by the Fourteenth Amendment for school finance equalization plans. Because the Court has not established such identifiable standards does not mean that there are no standards for Section 842. The standards in the sections of the guidelines referenced by the commenter are designed to implement Section 842(a)(1)(B) relating to equal educational opportunity. Taken at face value, the comment suggests that the Commissioner must reimburse a State for development or administration of any school finance plan which the State cared to designate for the purpose of Section 842 regardless of its adherence or nonadherence to the principles set forth in Section 842. While Section 842 contemplates the establishment of guidelines, one or more of which may be rejected by a State for valid reasons, it does not appear that it was intended to provide no basic standards whatsoever. Traditionally "guidelines" illustrate a method of conforming to either statutory or regulatory standards. While failure to follow a specific "guideline" does not *per se* constitute nonconformity to the standards, the underlying standard must still be adhered to. Moreover, if the guidelines contemplated for Section 842 were intended to be completely nugatory, it is difficult to understand why Congress wrote into the section the detailed prescription for Congressional review before the guidelines become effective.

Comment. Two commenters stated that § 115.11 in focusing upon educational adequacy, goes beyond the purpose of Section 842 in that such provision is designed only to insure that States would construct an equitable system of school finance to permit each school district to receive its fair share of educational funds.

Response. As discussed above, § 115.11 has been modified, indicating that each State must determine what is an adequate level of programs, services and facilities for providing equal educational opportunity to pupils within the State. It is believed that this guideline is directly related to the purpose of Section 842 because any equitable system of school finance must be capable of assuring that through the provision of sufficient funds every pupil in the State receives the minimum education commonly provided other pupils in the State. Less than that would not promote equality of educational opportunity.

Comment. Two comments were received criticizing § 115.10 for establishing the equity guidelines as the basis for determining the eligibility of State plans for funding. It was further stated by both commenters that the guidelines failed to recognize the right under Section 842 for a State to reject any guideline if the reason for such rejection is stated.

Response. § 115.10 properly places the emphasis on eligibility upon a State plan's conforming to the statutory principles set forth in Section 842(a)(1) of Pub. L. 93-380, as further defined by these guidelines. The intent of Section 842 was to promote the reconsideration, and to the extent appropriate, the reform of State school finance programs within the perimeters of these principles. While the Commissioner has developed these guidelines for States as suggested methods of achieving those principles, it is not presumed that these guidelines are the exclusive means of achieving them. While any one or more of these guidelines may be rejected, it is clear that under Section 842 the Commissioner may only reimburse State plans which are designed to achieve the principles set forth in § 842. "To assist States in developing such plans, the Commissioner shall develop guidelines generally defining the possible methods of attaining the principles *which must be common to all State plans.*" (Sen. Rep. No. 93-763, 103 (1974); emphasis added.) Section 115.10 does recognize the right of a State to reject one or more of the guidelines, but does not permit rejection of the principles upon which the State plan must be based. In subpart A, § 156.5(e) details how a State may reject any one or more of these guidelines.

Comment. Two comments were received objecting to § 115.15 and its requirement of an equitable tax structure to support the State school finance system. The commenters believed that the inclusion of tax equity considerations was beyond the scope of school finance systems reform contemplated by Section 842.

Response. A significant relationship exists between the equity of a tax system used to support a school finance program and the ability of such a program to provide equal educational opportunity. A school finance program supported by a tax system which fails to appropriately recognize the relative tax resources of different local educational agencies is likely to cause an inequitable distribution of school funds and, thus, serve as a barrier to the achievement of equal educational opportunity. In an exhaustive treatment of school finance programs and planning, it was stated that inequities in fiscal capacity and effort constitute a major obstacle to the achievement of equal educational opportunity and that in developing a comprehensive school finance plan one of the fundamental policy issues which should be resolved is the degree of progressivity or regressivity of the tax structure used to finance the schools. (NEPP, *Alternative Programs for Financing Education*, Vol. 5, chapters 4 and 9 (1971)). Furthermore, where because of the structure of the school tax system it takes a greater tax effort by a "property-poor" school district to approach or equal the tax resources of a "property-rich" district, there may arise practical limitations as to how much of a greater effort a district may be able to undertake. In seeking to promote school finance equalization, Section 842 aims at assisting States in overcoming the pattern of such inequitable distribution of school funds that has resulted, in part, from inequitable tax support systems. It should be remembered that one of the purposes of these guidelines is to deepen the awareness of related problems and issues that should be examined in the consideration of school finance reform.

Other Changes. 1. Section 156.7(b) of the proposed regulations has been deleted. This provision stated that only one plan may be submitted by a State for reimbursement under the provisions of the Act. The Commissioner felt that this provision might be misunderstood by the State applicant. While the Act states that a State desiring to develop "a plan" may be reimbursed, the Commissioner does not interpret this language as meaning one document bound in one cover. To the contrary, it is anticipated that the State plan for a number of States will be comprised of separate documents dealing with distinct portions of the State plan.

2. In § 156.10 a new phrase has been added to clarify the meaning of the provision. In the second sentence of § 156.10 following the words ". . . of these guidelines . . ." and preceding the words ". . . a State plan . . ." the phrase ". . . and still be considered eligible for reimbursement. . ." has been inserted.

3. In § 156.14 a new phrase has been added to clarify the meaning of the provision. The Commissioner felt that the original language might be incorrectly interpreted to mean that an equalization scheme on a county or intermediate district level would satisfy the requirements of the guideline. The requirement is for fiscal neutrality on a Statewide level. Accordingly, in the first sentence of § 156.14 the phrase ". . . is not the result of . . ." has been deleted and in its place the phrase ". . . reflects the wealth of the State as a whole and not . . ." has been inserted.

4. In § 156.15 all language following ". . . which is . . ." has been deleted and in its place the word "equitable" has been

inserted. In view of the Commissioner's comments made earlier in this preamble that this guideline is intended to be more of a challenge to States to consider the importance of the revenue source dimension in school finance planning than an [illegible]ative criteria, it was felt that the [illegible] language added unnecessary specificity in the guideline.

5. In § 156.18 the language following ". . . but not limited to, . . ." has been deleted and in its place the phrase ". . . the objective of achieving the equality of educational opportunity.", has been inserted. The Commissioner felt that the two part enumeration was unnecessary.

Effective date. Pursuant to Section 842 (a)(4), Pub. L. 93-380 (20 U.S.C. 244), these regulations and guidelines have been transmitted to the President of the Senate and the Speaker of the House of Representatives concurrently with the publication of this document in the FEDERAL REGISTER (August 1, 1975). Such section provides that these guidelines shall become effective on December 1, 1975 subject to the provisions therein concerning Congressional action. In view of substantive changes made in the regulations, the document is also being retransmitted to the Congress pursuant to Section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d)) which provides that regulations subject thereto shall become effective on the forty-fifth day following the date of transmission of the same to the Congress, subject to the provisions therein concerning Congressional action and adjournment.

It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in [illegible]ordance with OMB Circular A-107.

[illegible]ted: July 7, 1975.

DUANE J. MATTHEIS,
(Acting) U.S. Commissioner of Education.

Approved: July 28, 1975.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

Title 45 of the Code of Federal Regulations is amended by adding a new Part 156 to read as set forth below.

PART 156—ASSISTANCE TO STATES FOR STATE EQUALIZATION PLANS

Subpart A—General

Sec.
156.1 Purpose and scope.
156.2 Applicability of General Provisions Regulations.
156.3 Definitions.
156.4 Eligible applicants.
156.5 Application for reimbursement.
156.6 Entitlement.
156.7 State plan requirements.
156.8 Review and disposition of applications.

Subpart B—Equity Guidelines

156.10 Eligibility of plans.
156.11 Adequate educational programs.
156.12 Cost variations.
156.13 Comprehensiveness of program.
156.14 Equalizing financial ability.
156.15 Tax support.
156.16 Educational and financial decisions.
156.17 Educational efficiency.
156.18 Evaluation.

AUTHORITY: Sec. 842, Part D, Title VIII, Education Amendments of 1974 (20 U.S.C. 244), Pub. L. 93-380.

Subpart A—General

§ 156.1 Purpose and scope.

The purpose of the regulations in this part is to implement the provisions of section 842 of the Education Amendments of 1974 which provides for reimbursement for the development or administration of a State plan for a program of financial assistance to local educational agencies which is consistent with standards which may be required by the fourteenth amendment to the Constitution, and the primary purpose of which is to achieve equality of educational opportunity for all children in attendance at the schools of the local educational agencies of the State.

(20 U.S.C. 244)

§ 156.2 Applicability of General Provisions Regulations.

Assistance provided under this part is subject to applicable provisions contained in Subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters), except for the following:

(a) § 100a.18 (Project Description);
(b) § 100a.19 (Cooperative Agreements);
(c) § 100a.26 (Review of Applications); and
(d) § 100a.27 (Disposition of Applications).

(20 U.S.C. 244)

§ 156.3 Definitions.

As used in this part:

(a) "Act" means the Education Amendments of 1974, Pub. L. 93-380.

(b) "Administration" means any action deemed necessary to implement a State Plan, but does not mean any action taken after such implementation in the normal course of operating the State program of financial assistance to local educational agencies in conjunction with such plan. Implementation may include action necessary to the installation of the plan such as: (1) the design and installation of data systems required for the implementation of the plan, (2) the gathering, processing, and analysis of such data, (3) inservice training, (4) obtaining advice and comment regarding plan implementation, and (5) evaluation of the plan.

(c) "Development" means any action which is deemed necessary to formulate or improve a State program of financial assistance to local educational agencies. Development may include such actions as: (1) planning and designing such studies, (2) carrying out such studies, and (3) dissemination and public hearings and generally those activities associated with plan adoption.

(d) "State plan" means a plan submitted by a State pursuant to section 842 of Pub. L. 93-380 and the regulations in this part in order to establish eligibility to receive Federal reimbursement for the development or administration of such plan. The State plan shall be a detailed description of the State's policies, program, and operating procedures relating to the State's program of financial assistance to local educational agencies in that State. The plan may be, but is not limited to those policies, programs, and operating procedures which have been enacted into law.

(20 U.S.C. 244)

§ 156.4 Eligible applicants.

(a) An application under this part shall be submitted by the State educational agency or such other agency or instrumentality of the State designated or created under State law as the eligible applicant for the purposes of Section 842 of the Act.

(b) The State plan and any amendment thereto shall include as an attachment of certificate by the State's Attorney General, or other official designated in accordance with State law to advise the State on legal matters, to the effect that the agency or instrumentality submitting the application for reimbursement under this part is the agency or instrumentality which has the authority under State law to submit the State plan for the purposes of section 842 of the Act.

(c) Prior to the submission to the Commissioner of a State plan as part of an application under this part, the State agency shall afford local educational agencies and other interested parties the opportunity, to present views and recommendations, in writing or at a recorded public hearing, on the State plan. All such written or recorded views and recommendations shall be submitted to the Governor with the State plan when such State plan is submitted to the Governor under the provisions of § 156.4(d) of this part.

(20 U.S.C. 244(a)(1))

(d) Prior to the submission to the Commissioner of any State plan as part of an application under this part, the State agency shall afford the Governor of such State an opportunity to comment on the relationship of such State plan to comprehensive and other State plans and programs. The Governor shall be afforded a period of not less than 45 days in which to make such comments, or, if the Governor makes no comments, a statement to that effect shall be attached to such plan when the same is submitted to the Commissioner.

(20 U.S.C. 244(a)(1), OMB Circular No. A-95)

§ 156.5 Application for reimbursement.

(a) Application for reimbursement under this part shall be made in accordance with the applicable provisions of subparts B and C of part 100a of this chapter.

(20 U.S.C. 244)

(b) Applications for reimbursement under this part and section 842 of the Act for costs incurred or to be incurred in the development or administration of the State plan shall be submitted to the Commissioner. Applications for reimbursement may be submitted for plans developed prior to or subsequent to the effective date of section 842 of the Act or for a plan the State proposes to develop. If reimbursement is desired for a plan which has been developed, then the plan as developed shall be submitted to the Commissioner. If reimbursement is desired for a plan the State proposes to develop, then the State shall submit a proposal to develop a plan. The proposal shall set forth the goals, objectives, and scope of the plan to be developed and describe how such plan will address the major questions of school finance equity as considered in this part and section 842 of the Act.

(20 U.S.C. 246; Cong. Record, daily edition, May 20, 1970, S. 8668)

(c) An application for reimbursement must be submitted no later than 90 days following submission of the plan or the proposal to develop a plan.

(d) An application for reimbursement shall set forth a detailed account of costs incurred or a schedule of reimbursements for costs to be incurred. In the latter case, reimbursements shall not be made more often than monthly).

(20 U.S.C. 246)

(e) If a State plan rejects, or is intended to reject, any of the guidelines developed pursuant to section 842(a)(3) of the Act and as set forth in subpart B of this part, then the applicant shall set forth the reasons for each rejection. Such statements in support thereof shall justify any rejection of these guidelines on a substantive basis and shall give detailed reasons therefor.

(20 U.S.C. 246(b); Sen. Report No. 93-763, at p. 106 (1974))

(f) An application for reimbursement shall describe the manner in which the applicant coordinated and involved, or proposes to coordinate and involve, appropriate State agencies or branches of State government, local educational agencies, and other interested parties in the development or administration of the plan.

(20 U.S.C. 246)

§ 156.6 Entitlement.

(a) The entitlement of each State shall be determined on the basis of a straight-line formula such that the entitlement of the most populous State shall be $1,000,000, the entitlement of the least populous State shall be $100,000, and the entitlement of each other State shall fall between these amounts based on the ratio of that State's population to the population of the Nation as a whole.

(b) In the event that the funds appropriated for this section are insufficient to meet the entitlement as calculated above, then the above procedure shall be used to recalculate the entitlements with the exception that the entitlement of the most populous State shall be reduced and the entitlement of each other State shall be recalculated based on this revised limit. Subject to the provisions of section 842(c)(1) of the Act, the entitlement of the most populous State shall be reduced to a level so that the sum of the recalculated entitlements for all States equals the appropriated amount.

(c) If additional amounts become available making reimbursements under Section 842 of the Act following a recalculation of entitlements under paragraph (b), such entitlements (as reduced by such recalculation) shall be increased (in accordance with such additional amounts) on the same basis that they were reduced.

(d) After a determination regarding eligibility for reimbursement has been made for all applications timely filed under this part, any available appropriations which remain unallocated shall be ratably distributed among approved applicants for the purpose of satisfying the maximum entitlement provided for each State under Section 842(c)(1) of the Act, except that no State may receive an amount in excess of such maximum entitlement.

(20 U.S.C. 246(c)(1))

§ 156.7 State plan requirements.

A State plan shall be submitted to the Commissioner not later than July 1, 1977, to be eligible for cost reimbursement under section 842.

(20 U.S.C. 246(a)(1))

§ 156.8 Review and disposition of applications.

(a) Upon receipt of an application for reimbursement under this part, the Commissioner will review such application for conformity with the regulations and guidelines set forth under this part and the provisions of section 842 of the Act. In reviewing any such application, the Commissioner shall have the discretion to obtain the review of a panel of experts. The Commissioner may also consult with the applicant at any time concerning the sufficiency of the application.

(b) After reviewing the application, the Commissioner will determine whether the applicant may be reimbursed and if so, the costs allowable for such reimbursement, and will notify the applicant in writing of such determination.

(c) If an adverse determination as to the application is made by the Commissioner, the applicant may request a meeting with the Commissioner within 30 days of notice of such determination to discuss the application.

(20 U.S.C. 246)

Subpart B—Equity Guidelines

§ 156.10 Eligibility of plans.

The Commissioner will, in determining the eligibility of plans for reimbursement submitted under the provisions of section 842 of the Act, apply the guidelines set forth in § 156.11-17. While a State plan may reject any of these guidelines and still be considered eligible for reimbursement, a State plan cannot in substantial part reject the principles set forth in section 842(a)(1) of the Act.

(20 U.S.C. 246; Sen. Rpt. No. 93-763 at p. 103 (1974))

§ 156.11 Adequate educational programs.

In the development of the financial assistance plan, the State shall determine that level of educational programs, supportive services and facilities in such State which is adequate to assure equal educational opportunity for all pupils enrolled in the local educational agencies of the State.

(20 U.S.C. 246)

§ 156.12 Cost variations.

In determining the relative financial need of local educational agencies, the financial assistance plan,

(a) shall be designed to identify those pupils with varying and greater educational needs and take these needs into account in amounts provided and expended for appropriate educational programs, supportive services, and facilities; and

(b) shall take into account any variations among such local agencies in the costs of providing equivalent educational programs, supportive services, and facilities which might be associated with such factors as sparsity or density of population, cost of resources and socio-economic characteristics of the population of the local educational agencies.

(20 U.S.C. 246)

§ 156.13 Comprehensiveness of programs.

The financial assistance plan shall be designed to include all necessary and required program, supportive service, and facility costs such as but not limited to: (1) costs for the regular educational programs, special education programs, vocational education programs, educationally disadvantaged pupil programs, and bilingual education programs; (2) costs of guidance and counseling, and transportation; and (3) costs for capital outlay and debt service.

(20 U.S.C. 246)

§ 156.14 Equalizing financial ability.

The financial assistance plan shall be designed to ensure that the resources expended for the educational programs, supportive services, and facilities provided to a pupil within that State reflects the wealth of the State as a whole and not the wealth of the local educational agency in which the pupil attends school. If the financial assistance plan is designed to share the educational costs between the State and its local educational agencies,

(a) the plan shall justify and set forth an equitable measure of the relative financial abilities of local educational agencies; and

(b) the plan shall provide assurances that the State and local educational agencies will apply procedures which will ensure uniformity in the measurement of wealth against which taxes for education are levied.

(20 U.S.C. 240)

§ 156.15 Tax support.

The financial assistance plan shall be financed by a tax system which is equitable.

(20 U.S.C. 240)

§ 156.16 Educational and financial decisions.

The financial assistance plan shall be designed to encourage citizen interest and participation in the educational decision-making process.

(20 U.S.C. 240)

§ 156.17 Educational efficiency.

A financial assistance plan shall be designed to encourage efficiency in the size and organization of school districts and in the delivery of educational programs and other school services as a means of promoting equality in educational opportunities.

(20 U.S.C. 240)

§ 156.18 Evaluation.

The financial assistance plan shall be designed to provide systems and procedures for evaluating the degree to which the plan is achieving its stated objectives including, but not limited to, the objective of achieving equality of educational opportunity.

(20 U.S.C. 240)

[FR Doc.75-20082 Filed 7-31-75;8:45 am]

APPENDIX 3-A

TEXT OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965, TITLE IX, AS AMENDED BY THE EDUCATION AMENDMENTS OF 1972 and 1974

Ethnic Heritage Studies Program

Sec. 504. (a) The Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof the following new title:

"TITLE IX--ETHNIC HERITAGE PROGRAM

"Statement of Policy

"Sec. 901. In recognition of the heterogeneous composition of the Nation and of the fact that in a multiethnic society a greater understanding of the contributions of one's own heritage and those of one's fellow citizens can contribute to a more harmonious, patriotic, and committed populace, and in recognition of the principle that all persons in the educational institutions of the Nation should have an opportunity to learn about the differing and unique contributions to the national heritage made by each ethnic group, it is the purpose of this title to provide assistance designed to afford to students opportunities to learn about the nature of their own cultural heritage, and to study the contributions of the cultural heritages of the other ethnic groups of the Nation.

"ETHNIC HERITAGE STUDIES PROGRAMS

"Sec. 902. The Commissioner is authorized to make grants to, and contracts with, public and private nonprofit educational agencies, institutions, and organizations to assist them in planning, developing, establishing, and operating ethnic heritage studies programs, as provided in this title.

"Authorized Activities

"Sec. 903. Each program assisted under this Title shall --

"(1) develop curriculum materials for use in elementary or secondary schools, or institutions of higher education relating to the history, geography, society, economy, literature, art, music, drama, language, and general culture of the group or groups with which the program is concerned, and the contributions of that ethnic group or groups to the American heritage; or

"(2) disseminate curriculum materials to permit their use in elementary or secondary schools or institutions of higher education throughout the Nation; or

"(3) provide training for persons using, or preparing to use, curriculum materials developed under this title; and

"(4) cooperate with persons and organizations with a special interest in the ethnic group or groups with which the program is concerned to assist them in promoting, encouraging, developing, or producing programs or other activities which relate to the history, culture, or traditions of that ethnic group or groups.

"Applications

"Sec. 904. (a) Any public or private nonprofit agency, institution, or organization desiring assistance under this title shall make application therefor in accordance with the provisions of this title and other applicable law and with regulations of the Commissioner promulgated for the purposes of this title. The Commissioner shall approve an application under this title only if he determines that --

"(1) the program for which the application seeks assistance will be operated by the applicant and that the applicant will carry out such program in accordance with this title;

"(2) such program will involve the activities described in section 903; and

"(3) such program has been planned, and will be carried out, in consultation with an advisory council which is representative of the ethnic group or groups with which the program is concerned and which is appointed in a manner prescribed by regulation.

"(b) In approving applications under this title, the Commissioner shall insure that there is cooperation and coordination of efforts among the programs assisted under this title, including the exchange of materials and information and joint programs where appropriate.

"Administrative Provisions

"Sec. 905. (a) In carrying out this title, the Commissioner shall make arrangements which will utilize (1) the research facilities and personnel of institutions of higher education, (2) the special knowledge of ethnic groups in local communities and of foreign students pursuing their education in this country, (3) the expertise of teachers in elementary and secondary schools and institutions of higher education, and (4) the talents and experience of any other groups such as foundations, civic groups, and fraternal organizations which would further the goals of the programs.

"(b) Funds appropriated to carry out this title may be used to cover all or part of the cost of establishing and carrying out the programs, including the cost of research materials and resources, academic consultants, and the cost of training of staff for the purpose of carrying out the purposes of this title. Such funds may also be used to provide stipends (in such amounts as may be determined in accordance with regulations of the Commissioner) to individuals receiving training as part of such programs, including allowances for dependents.

"National Advisory Council

"Sec. 906. (a) There is hereby established a National Advisory Council on Ethnic Heritage Studies consisting of fifteen members appointed by the Secretary who shall be appointed, serve, and be compensated as provided in part D of the General Education Provisions Act.

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APPENDIX 3-B

12397) by adding a new Part 194 to the Code of Federal Regulations. This program was administered under the April 13 standards last fiscal year.

The following paragraphs reiterate the fundamental changes between the standards published on April 13, 1974 and the regulations as they will be published in final form.

a. The standards published in April required all authorized activities (curriculum development, dissemination, and training) to be performed by a grant recipient. This may have had the result of unduly restricting entry into the program because some applicants with the ability to perform some activities lacked the capacity to perform all activities. Section 194.11(a) of the rule permits an applicant to qualify for consideration if it can perform at least one of the three activities listed. This change results from a substantive amendment to the Act made by section 111 of Pub. L. 93-380.

b. Previously, the Act required that curriculum materials developed be for use in elementary and secondary schools and institutions of higher education. The amendment contained in section 111 of Pub. L. 93-380 permits the development of materials for elementary schools, secondary schools, or institutions of higher education, thus allowing a more flexible approach. This change is reflected in § 194.11(a) (1) of the rule.

c. As a result of the 1974 amendments, funding criteria have been added for separate activities (curriculum, dissemination, and training). (see § 194.31(c).)

d. The section on advisory councils (§ 194.13) is essentially in the form set forth in the previous standard, with some drafting and clarifying changes.

Interested parties were invited to submit written comments, suggestions and objections. Below is a summary of the comments received pertaining to the proposed rule and the responses from this Office. All comments received were given careful consideration, but none was sufficiently substantive to merit a change in the proposed rules. Several technical corrections were made in the citation of legal authority under the table of contents and under subpart D, Funding Criteria. Several typographical errors were also corrected.

1. *Comment.* A commenter, an Indian tribe, requested that American Indian tribes be specifically designated as eligible applicants in the regulations.

Response. Title IX acknowledges the importance of the ethnic heritage of all Americans, consequently the scope of the legislative intent encompasses native American tribes and organizations as eligible to the extent that they are nonprofit and have an educational purpose. Section 194.31 states the parties eligible for assistance, as provided by the statute, including nonprofit educational organizations. The nonprofit educational organizations of an Indian tribe would be eligible under this language. This office received applications from several different Indian organizations which were considered in the preceding year.

2. *Comment.* A commenter, a nonprofit organization, commended the flexibility of the regulations and indicated a belief that they implemented congressional intent. The commenter specifically supports three facets of the regulations: (a) the dissemination of curriculum materials; (b) the equal emphasis given to the development and training in the use of curriculum materials; and (c) the multi-ethnic preference accorded to applications.

Response. The proposed rule was designed to introduce a greater degree of flexibility in the program regulations and to respond to concerns previously expressed to the program that participation by ethnic groups might have been hampered by regulatory requirements. The Office of Education appreciates the commenter's expression of views that this purpose has, in large measure, been achieved, particularly in the respects mentioned by the commenter.

3. *Comment.* A commenter stresses the importance of dissemination of ethnic heritage materials, including materials developed under the program.

Response. Dissemination of materials is an authorized activity under the proposed rules at § 194.11(a) (2). This activity is considered an essential aspect of the program in creating a national awareness of ethnic heritage studies. Dissemination of materials also serves to maximize independent efforts and eliminates duplication of materials.

4. *Comment.* A commenter submitted several comments. They are particularized below with responses.

(a) *Comment.* With regard to § 194.2, relating to definitions, the commenter suggests that a definition of "ethnic," which excluded racial or religious groups, should be incorporated.

Response. The regulations follow the approach set by Congress which did not define "ethnic" in the legislation itself. The commenter's point relating to exclusion of minority and religious groups is at odds with the legislative history of Title IX which includes reference to such groups. See Senate Report No. 93-763 at page 59.

(b) *Comment.* Commenter requests that the regulations "spell out" that "genuine ethnic organizations" should be a prime vehicle for assistance.

Response. A conscious effort was made to encourage and enhance participation of ethnic groups and ethnic organizations as evidenced by § 194.13 (a) and (b), § 194.31, §194.32 (a) and (b), § 194.31(b) (6) (iii) and § 194.31(c) (1).

However, under the legislation, ethnic organizations are not the sole category of eligible applicants. Furthermore, to accord one eligible applicant category priority over others merely by virtue of that category would be outside the congressional intent and an unauthorized action. Awards are based on competition among eligible applicants found in § 194.-31.

(c) *Comment.* Commenter suggests that it should be specifically required that ethnic groups which have been organized within the past two years be

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 100a—DIRECT PROJECT GRANT AND CONTRACT PROGRAM

PART 194—ETHNIC HERITAGE STUDIES PROGRAM

Miscellaneous Amendments

Notice of proposed rule making was published in the Federal Register on December 31, 1974 (39 FR 45397), setting forth regulations for the Ethnic Heritage Studies Program (Title IX of the Elementary and Secondary Education Act) as added by section 504 of the Education Amendments of 1972, Pub. L. 92-318 (20 U.S.C. 880 to 880a-5), and amended by section 111 of the Education Amendments of 1974, Pub. L. 93-380.

These proposed rules would replace standards and funding criteria which were published on April 13, 1974 (39 FR

regarded as substantial proof that they are a bona fide ethnic group.

Response. Documentation of the organizational legal status of nonprofit applicants has been a concern of the Ethnic Heritage Studies Program. In an attempt to determine this status, certain information is required for submission. From the documentation submitted under § 184.21 (charter, notarized articles of incorporation, by-laws, etc.) we believe the program has sufficient data to judge an applicant's status.

(d) *Comment.* Commenter wishes to declare ineligible any applicant which has hired a former OE employee within the last 12 months.

Response. The conflict of interest statutes govern situations regarding use of former employees by a grantee organization. It would be inappropriate for the Office to develop a particularized set of prohibitions for this program.

(e) *Comment.* Commenter wishes to deny preferential treatment to any previous grantee.

Response. Eligible applicants which were previously awarded grants under Title IX are not given preferential treatment in these rules.

Accordingly, after consideration of the above comments, part 100a of Title 45 as amended and Part 184 of Title 45 of the Code of Federal Regulations are adopted to read as set forth below.

Effective date: The notice of proposed rulemaking was transmitted to Congress on December 24, 1974 pursuant to section 431(d) of the General Education Provisions Act. (20 U.S.C. 1232(d).) The time period set forth therein for congressional action has expired without such action having been taken. Therefore these criteria shall become effective on May 20, 1975.

(Catalog of Federal Domestic Assistance Number 13.549, Ethnic Heritage Studies)

Dated: May 1, 1975.

T. H. Bell,
U.S. Commissioner of Education.

Approved: May 14, 1975.

Caspar W. Weinberger,
Secretary of Health, Education, and Welfare.

Title 45 of the Code of Federal Regulations is amended as follows:

1. § 100a.10 is amended by adding a new paragraph (a)(33) to read as follows:

§ 100a.10 Scope.

(a) * * *

(33) Financial assistance for carrying out Ethnic Heritage Studies Programs under Title IX of the Elementary and Secondary Education Act.

(20 U.S.C. 980)

2. A new Part 184 is added, to read as follows:

Subpart A—Purpose; Scope; Definitions; General Provisions

Sec.
184.1 Purpose.
184.2 Definition.
184.3 Applicability and general provisions.

Subpart B—Authorized Activities and Program Advisory Councils

Sec.
184.11 Authorized activities.
184.12 Advisory councils.

Subpart C—Eligibility and Application for Assistance

184.21 Eligibility for financial assistance.
184.22 Application for assistance.
184.23 Costs.
184.24 Coordination of efforts.

Subpart D—Criteria

184.31 Criteria for assistance.

AUTHORITY: Title IX of ESEA as added by sections 901–907 of P.L. 89-10 (1972) (20 U.S.C. 980 to 980c-5) and as amended by Section 111 of P.L. 93-380 (1974).

Subpart A—Purpose, Scope; Definition; General Provisions

§ 184.1 Purpose.

The purpose of the Act is to provide assistance designed to afford students opportunities to learn about the nature of their own cultural heritage and to study the contributions of the cultural heritages of the other ethnic groups of the Nation.

(20 U.S.C. 980)

§ 184.2 Definition.

As used in this notice, "Act" means title IX of the Elementary and Secondary Education Act of 1965, as added by section 804 of the Education Amendments of 1972 (P.L. 92-318), and amended by section 111 of the Education Amendments of 1974 (P.L. 93-380).

(20 U.S.C. 980 to 980c-5)

§ 184.3 Applicability and general provisions.

The regulations in this part apply to assistance provided under the Act. Such assistance is also subject to the provisions of Part 100a of the Office of Education General Provisions Regulations. (45 CFR Part 100a).

(20 U.S.C. 980)

Subpart B—Authorized Activities and Program Advisory Councils

§ 184.11 Authorized activities.

(a) Any ethnic heritage studies program assisted under the Act, in accordance with section 903 of the Act.

(1) (i) Shall develop curriculum materials for use in elementary or secondary schools or institutions of higher education, relating to the culture of the ethnic group or groups with which the program is concerned, and the contributions of that group or groups to the American heritage in such areas as history, geography, society, economy, literature, arts, music, drama, language or general culture; or

(ii) Shall disseminate such curriculum materials to permit their use in elementary or secondary schools or institutions of higher education throughout the Nation; or

(iii) Shall provide training for persons using, or preparing to use, ethnic heritage curriculum materials developed under the Act whether or not such materials were developed by the applicant; and

(2) Shall cooperate with persons and organizations which have a special interest in the ethnic group or groups with which the program is concerned to assist them in promoting, encouraging, developing, or producing programs or other activities which relate to the history, culture, or traditions of that group or groups.

(b) An application which does not make adequate provision for the carrying out by the applicant of one or more of the activities in paragraph (a)(1) of this section and the activities described in paragraph (a)(2) of this section will not be approved.

(20 U.S.C. 980c-1; 980c-5(a)(2))

§ 184.12 Advisory councils.

(a) The Act requires that an ethnic heritage studies program assisted under the Act must be planned and carried out in consultation with an advisory council which is representative of the ethnic group or groups with which the program is concerned.

(20 U.S.C. 980c-2)

(b) The appointment of council members shall be made with the participation of appropriate ethnic and community groups and shall meet the following requirements:

(1) Each of the ethnic groups with which the program is concerned is represented on the council;

(2) More than one-half of the membership of the council consists of community representatives of the ethnic group or groups with which the program is concerned;

(3) The council is broadly representative of educational and professional backgrounds relevant to the program, and at least one member of the council is affiliated with an educational organization or institution and has expertise and experience in curriculum development, training of personnel, and/or dissemination of curriculum materials.

(4) The members of the council are not employed by, or otherwise associated with, the applicant.

(c) (1) An applicant for assistance under the Act shall consult with an advisory council (as described above) regarding the planning of the program for which assistance is requested and the preparation and submission of the application.

(2) In carrying out a program assisted under the Act, a recipient shall:

(i) Consult periodically (and in no event less frequently than once a month) with such council regarding such program;

(ii) Provide such council in a timely fashion with advance copies of all reports required by the Commissioner with respect to the program and all materials prepared or distributed pursuant to it;

(iii) Request semi-annual assessment of the program and its effect by the council; and

(iv) Otherwise involve the council in its advisory capacity in the planning,

implementation, and evaluation of the program.

(20 U.S.C. 900a-2(a)(2))

Subpart C—Eligibility and Applications for Assistance

§ 184.21 Eligibility for financial assistance.

The Commissioner will make grants to public and private nonprofit educational agencies, institutions, and organizations to assist them in developing and implementing ethnic heritage studies programs pursuant to the Act and this part. Eligible organizations include ethnic, community, and professional associations and local educational agencies, State educational agencies, and institutions of higher education as defined in section 801 of the Elementary and Secondary Education Act of 1965.

(20 U.S.C. 881; 20 U.S.C. 900a)

§ 184.22 Application for assistance.

(a) An applicant other than a local educational agency, State educational agency, or institution of higher education shall furnish a copy of its charter or other documentary evidence (such as notarized articles of incorporation, bylaws, or other appropriate organic documents) which demonstrates that it is a nonprofit organization and that it has an educational purpose. (See 45 CFR § 100.1 for definition of nonprofit organization.)

(20 U.S.C. 900a, 900a-2(a))

(b) An application for assistance under the Act shall contain information indicating the manner in which the requirements of § 184.12 have been and will be implemented.

(20 U.S.C. 900a-2(a)(2))

§ 184.23 Costs.

(a) Funds will be made available to cover all or part of the cost of establishing and implementing ethnic heritage studies programs, including such items as the cost of research materials and resources, ethnic group and academic consultants, and related training of educational and community resource persons.

(b) Funds are not available under the Act for construction or remodeling of facilities.

(c) Funds requested under this Act for nonexpendable items such as printing equipment, copying machines, typewriters and audiovisual machines will be allowable only in exceptional circumstances.

(20 U.S.C. 900a, 900a-2)

(d) The Commissioner is prohibited from making any payment under the Act for religious worship or instruction.

(20 U.S.C. 886)

§ 184.24 Coordination of efforts.

In approving applications under the Act, the Commissioner will require that adequate provision is made for cooperation and coordination of efforts among the programs assisted under the Act, including exchange of materials and information. An applicant for assistance under this part will provide an affirmative assurance that it will cooperate and coordinate efforts with other programs assisted under the Act.

(20 U.S.C. 900a-2(b))

Subpart D—Criteria

§ 184.31 Criteria for assistance.

(a) *General criteria.* Applications for assistance under the Act which qualify for consideration will be evaluated in accordance with the following general criteria:

(1) General criteria set forth in § 100a.26(b) of Part 100a of the Office of Education General Provisions Regulations (45 CFR 100a.26(b)); and

(2) The overall quality of the program, with respect to the activities described in section 903 of the Act, and § 184.11 in helping students learn about their own cultural heritage and about the cultural heritages of other ethnic groups.

(b) *Specific criteria.* Applications for assistance under the Act will also be evaluated on the extent to which:

(1) There is evidence of commitment by the applicant and other interested groups to the program and to its continuation upon the expiration of Federal assistance;

(2) There is a clear demonstration of a specific contribution which the proposed program will make toward meeting the purpose of the Act;

(3) Approval of the application would promote an appropriate distribution of ethnic heritage studies programs throughout the Nation;

(4) The impact of the program is multi-ethnic;

(5) The program materials are designed for widespread use in schools or institutions of higher education and not exclusively for the applicants or the ethnic group(s) with which the program is concerned; and

(6) Provision is made for cooperation:

(i) With persons and organizations having a special interest in the program, as provided in section 903(4) of the Act;

(ii) With other programs assisted under this Act, including such joint activities as exchange of materials, personnel development models and cooperative dissemination efforts; and

(iii) Between ethnic or community groups and educational institutions or other agencies in order to implement the goals of the program.

(c) *Additional criteria.* (1) Programs described in § 184.11(a)(1)(i) (relating to development of curriculum materials) shall also be evaluated on the extent to which provision is made for:

(i) Obtaining data from resources within the community;

(ii) Field-testing curriculum materials to determine their effectiveness prior to use; and

(iii) Incorporating tested materials within the regular curriculum of schools or colleges;

(2) Programs described in § 184.11(a)(1)(ii) (relating to dissemination) shall also be evaluated on the extent to which provision is made for:

(i) Analysis of the materials to be disseminated;

(ii) Dissemination of materials on a nationwide basis; and

(iii) Facilitating exchange of materials among programs assisted under the Act.

(3) Programs described in § 184.11(a)(1)(iii) (relating to training) shall also be evaluated on the extent to which provision is made for:

(i) Maximum involvement of such leadership personnel as community leaders, teachers, teacher trainers, educational administrators, and/or curriculum development specialists and supervisors; and

(ii) Evaluation of the training program.

(20 U.S.C. 900-900a-2)

[FR Doc.75-12216 Filed 5-19-75;8:45 am]

APPENDIX 3-C

THE ETHNIC HERITAGE STUDIES PROGRAM *

IN

FISCAL YEAR 1976

FACTS AND FIGURES

*Only selected portions of this document, published by the U.S. Office of Education, are reprinted here. The complete text of the document is retained in the Subcommittee files.

I. SUMMARY INFORMATION

THE BASIC PROGRAM

Purpose

- To afford students an opportunity to learn more about the nature of their own heritage and to study the contributions of other ethnic groups to the Nation.
- To reduce educational disadvantages and social divisiveness caused by ignorance or misunderstanding of multicultural influences in the lives of individuals and communities.
- To realize the educational gains that can result from understanding the contributions of cultural pluralism to a multiethnic Nation.
- To encourage citizens of our pluralistic society to have intercultural awareness.

Policy

"In recognition of the heterogeneous composition of the Nation and of the fact that in a multiethnic society a greater understanding of the contributions of one's own heritage and those of one's fellow citizens can contribute to a more harmonious, patriotic, and committed populace, and in recognition of the principle that all persons in the educational institutions of the Nation should have an opportunity to learn about the differing and unique contributions to the national heritage made by each ethnic group, it is the purpose of this title to provide assistance designed to afford to students opportunities to learn more about the nature of their own heritage and to study the contributions of the cultural heritage of the other ethnic groups of the Nation."--Title IX, Elementary and Secondary Education Act (ESEA). (See appendix A.)

Ethnic participation is required by Title IX, ESEA, and is accomplished by involvement of individuals and organizations of the ethnic group or groups with which a particular project is concerned. The majority of members of a project's advisory council must be related to the ethnic group or groups with which a project is concerned; and each project must be directly administered by or have the cooperation of an ethnic group or groups.

Appropriation

In fiscal year 1976 the total amount appropriated for Title IX, ESEA, was $1,800,000.

APPLICATIONS

Application Period

The criteria of eligibility and selection, based upon the Act, were published in the *Federal* Register of September 25, 1975, and in the *Guidelines for Application* (see appendix B). As stated in the *Federal Register*, it was required that all applications arrive at the Office of Education Application Control Center by close of business on December 8, 1975, or be mailed by registered or certified mail by December 3, 1975.

More than 7,000 copies of the *Guidelines for Application* and application packets (see appendix C) were mailed by the Ethnic Heritage Studies Branch to ethnic associations, school districts, State departments of public instruction, postsecondary institutions, and (on request) to interested individuals. As defined in the Act, "the Commissioner is authorized to make grants to, and contracts with, public and nonprofit educational agencies, institutions, and organizations...."--Title IX, ESEA.

Number, Type, and Source of the Applications

The Office of Education received 570 applications for approximately 50 grants in fiscal year 1976. Of these, only 8.7 percent were funded.

The amount of support requested by eligible proposals was over $25.5 million. The actual appropriation represented about 7 percent of this amount.

The majority of applications received and funded proposed multiethnic projects. They were prepared as a result of cooperation of educational institutions and numerous ethnic groups.

Proposals were received from every State of the Union, as well as from the District of Columbia, Guam, Puerto Rico, American Samoa, and the Trust Territory of the Pacific Islands. Proposals were submitted from urban, suburban, and rural areas. They included metropolitan, regional, statewide, and national projects. A broad spectrum of ethnic groups was evident in the applications.

GRANTS

The Evaluation and Selection Process

A total of 49 field and Federal personnel participated in the technical review process. Each application was reviewed by a panel that included experts in ethnic studies, curriculum and personnel development, the social sciences, and/or the humanities. On each panel, where possible,

one member possessed an ethnic background related to the ethnic group or groups with which the project was concerned. Reviewers were chosen from among specialists who had not presented a proposal and who were not members of organizations that in part or in toto had applied for support under the Act. Each application was evaluated and rated independently by three reviewers. Therefore, the reviewers as a panel group recorded criteria averages and provided ratings on each proposal as "highly recommended," "provisionally recommended," and "not recommended." (See appendix D for Technical Review Form.)

Number, Type, and Amount of Grants

A total of 49 grants was awarded during fiscal year 1976 as a result of competitive applications.

The maximum grant for any project did not exceed $50,000, with the average grant award amounting to $37,000.

The Period of Obligation

The funds appropriated were obligated by June 30, 1976. Funded proposals resulted in agreements with the Office of Education. Applicants who submitted proposals that were not selected were so informed in writing during the second week of June.

GRANTEES, PROJECT ABSTRACTS, AND PARTICIPATING
ETHNIC GROUPS AND EDUCATIONAL ORGANIZATIONS, BY STATE

ALABAMA

Greene County Board of Education
Instruction Department
Post Office Box 569
Eutaw, Alabama 35462

Project Title: Project Search and Discover

Amount of Grant: $40,000

Project Director: Abner B. Brown

Abstract: This project will develop curriculum materials in the form of multi-media packets (filmstrips, slides, video-tapes, audio cassettes and reel-to-reel tapes) with emphasis on the influence of blacks in the educational, economic, and governmental development of a five-county area of West Alabama. The project will focus on Greene County, and also will consider the influences of four adjoining counties (Hale, Sumter, Marengo, and Perry) in the area's development. The staff of the project will secure data on events, achievements, contributions, etc. by conducting a series of interview sessions with area residents.

Participating Ethnic Groups and Educational Organizations:

1. Federation Southern Cooperatives, Inc., Epes, Alabama
2. Greene County Historical Society
3. Green County Probate Judge and County Commissioners
4. Greene County Retired Educators Association
5. Miles College, Eutaw Campus
6. Retired Senior Citizen Volunteer Program (RSVP)
7. *The Demopolis Times*
8. *The Greensboro Beacon*
9. *The Sumter County Democrat*

ARIZONA

Mesa Public Schools
Curriculum Information Center
14 W. 2nd Avenue
Mesa, Arizona 85202

Project Title: Ethnic Heritage Studies Program

Amount of Grant: $38,000

Project Director: Jesus Cardona

Mesa Public Schools (cont.)

Abstract: The major thrust of the Mesa Public Schools project is to promote, encourage, develop, or produce programs "which relate to history, culture, or traditions of ethnic groups." As a means of accomplishing this goal, the Mesa Public Schools propose to focus their efforts on the training of persons who have direct contact with students, teachers, aides, principals, substitutes, and/or parents. This training will emphasize cultural awareness activities. As sessions are conducted and evaluated, a revised module will be developed and made available for dissemination to local communities, schools, Title IX groups, individuals, universities, and State Departments of Public Instruction. CANAM - The Cultural Awareness Needs Assessment Model--is the major input device. The information generated through the use of CANAM will form the basic framework for content and process objectives and activities.

Participating Ethnic Groups and Educational Organizations:

1. Adelante Con Mesa
2. Department of Economic Security
3. Mesa Community College
4. Retired Senior Citizenship Volunteer Program

CALIFORNIA

Association of Chinese Teachers
1-15 Waverly Place
San Francisco, California 94108

Project Title: TACT - Chinese American Heritage Project

Amount of Grant: $39,000

Project Director: Laureen Chew

Abstract: This project will develop curriculum materials to enable elementary school children to learn about the ethnic heritage of the Chinese Americans. It will contain a Resource Kit that will include 24 short stories with learning activities, a teacher's guide, and 1 tape cassette recording highlighting Chinese American accomplishments in the development of America. Four workshops will be conducted for teachers and community people on the use of the Chinese American Resource Kit. The Resource Kit will be available to other Ethnic Heritage programs, educators' organizations, community agencies, ERIC, and to 30,000 elementary students in 1,000 classrooms throughout the United States.

Association of Chinese Teachers (cont.)

Participating Ethnic Groups and Educational Organizations:

1. Chinese Historical Society
2. Chinese Media Committee of Chinese for Affirmative Action
3. Combined Asian-American Resource Project (CARP)
4. Title VII - Chinese Bilingual Project

University of San Francisco
School of Education
2130 Fulton Street
San Francisco, California 94117

Project Title: Bay Area Filipino Culture Education Project (BAFCEP)

Amount of Grant: $38,000

Project Director: James S. Eckenrod

Abstract: This project will develop four multi-media prototype curriculum units for use in middle or junior high school classes. Emphasis will be on instructional activities that provide students with direct, personal experience in Filipino culture as it exists in the Philippine Island and in the United States. The specific objectives are to plan, prepare, test, evaluate, and revise four short units in a project that brings together expertise in innovative curriculum development in the Filipino cultural heritage. The major concern addressed by BAFCEP is the facilitation of adolescent socialization for Filipino American youth and the development of appreciation for bicultural identities among non-Filipino students.

Participating Ethnic Groups and Educational Organizations:

1. California Association of School Librarians
2. California English Teachers Association
3. Filipino-American Community of the East Bay
4. Filipino-American Teachers Association of San Francisco
5. Jefferson Elementary School District, Daly City, California
6. San Francisco Unified School District, San Francisco, California
7. Teachers Association of San Francisco
8. United Filipino-American Council for Northern California

Visual Communications, Inc.
1601 Griffith Park Boulevard
Los Angeles, California 90026

Project Title: Asian American Heritage Archival Project

Amount of Grant: $39,000

Visual Communications, Inc. (cont.)

Project Director: Robert J. Yamamoto

Abstract: This project will attempt to improve teachers' communication with Asian American students, their parents, and the community by providing teachers and staff with reliable and valid information concerning the history, culture, and contemporary communities of Asian Americans. The project objectives include the graphic documentation of the pluralistic nature of American society through copying, cataloging, and annotating at least 15,000 photographs that demonstrate the role of the Asian in the history of the United States, with emphasis on the Korean, Filipino, and Pacific Island American people and communities. These photographs will supplement an already existing collection of 10,000 photographs mainly of the Chinese and Japanese experience. The project will produce 15 annotated photographs for each group illustrating its experience. The complete package, consisting of 75 annotated study prints and 5 study guides, will be a comprehensive and concise visual documentation of Asian American history and culture.

Participating Ethnic Groups and Educational Organizations:

1. Asian American Bilingual Center
2. Asian American Education Commission, Los Angeles Schools
3. Asian American Studies, UCLA
4. Asian Pride, California State University at Los Angeles
5. Filipino Youth Services
6. Japanese American Citizens' League

COLORADO

Denver School District No. 1
2320 W. 4th Avenue
Denver, Colorado 80223

Project Title: American Ethnic/Folk Music

Amount of Grant: $35,000

Project Director: Robert W. Hirsch

Abstract: The objective of this project is to provide musical auditory experience of American ethnic music during the 9-month school year for approximately 15 minutes per day to third-grade students of the Denver Public Schools. There will be four in-service training sessions involving 177 third-grade classroom teachers who will act as instructional agents with help from music specialists and other resources personnel. Ninety-five

Denver School District No. 1 (cont.)

elementary schools will be supplied with kits of materials including ethnic folk songs, cassette tapes and recordings, puzzles, games, sound and light shows, and mixed media materials to enable the children to engage in dramatics, dance, and art experiences. Kits will also contain simple materials to use in constructing instruments with complete instructions and ideas for the teachers.

Participating Ethnic Groups and Educational Organizations:

1. Community groups and/or consultants from the major ethnic groups, i.e., Asian, Black, Chicano, Indian, and other (mainly Western European)
2. KRMA-TV (owned and operated by School District No. 1 in the City and County of Denver, State of Colorado)

CONNECTICUT

Southern Connecticut State College
Health Education Department
501 Crescent Street
New Haven, Connecticut 06515

Project Title: Counselor Ethnic Awareness Project

Amount of Grant: $25,000

Project Directors: Marjorie Bradley and Maurice Mahoney

Abstract: This project will develop a model training program for high school guidance counselors. It will include day-long and weekend sessions, plus workshops with special consultants. The objectives of the training program are: 1) to heighten counselors' awareness of and appreciation for their own ethnicity and the ethnic pluralism of the students; 2) to provide counselors with the tools necessary to initiate and implement ethnic appreciation projects in their own schools. Results of the project will be disseminated through the American Personnel and Guidance Association.

Participating Ethnic Groups and Educational Organizations:

1. Amity High School, Woodbridge, Connecticut
2. Andrew Warde High School, Fairfield, Connecticut
3. Bassick High School, Baptist, Connecticut
4. Bethel High School, Bethel, Connecticut
5. Brien McMahon High School, Fairfield, Connecticut
6. City Hill Middle School, Naugatuck, Connecticut
7. Crosby High School, Waterbury, Connecticut
8. Danbury High School, Danbury, Connecticut
9. Darien High School, Darien, Connecticut
10. M.T. Sheehan High School, Wallingford, Connecticut
11. M. Whalen Junior High School, Hamden, Connecticut

Southern Connecticut State College (cont.)

12. Naugatuck High School, Naugatuck, Connecticut
13. New Canaan High School, New Canaan, Connecticut
14. Newton Middle School, Newton, Connecticut
15. Norwalk High School, Norwalk, Connecticut
16. Orville H. Platt High School, Meridien, Connecticut
17. RCSC Thompson School, West Haven, Connecticut
18. Regional District #16, Prospect, Connecticut
19. Seymour High School, Seymour, Connecticut
20. Sleeping Giant Junior High School, Hamden, Connecticut
21. St. Mary's High School, New Haven, Connecticut
22. West Haven High School, West Haven, Connecticut
23. Wilbur Cross High School, New Haven, Connecticut
24. Wolcott High School, Wolcott, Connecticut

Thomaston Public Library
248 Main Street
Thomaston, Connecticut 06787

Project Title: Ethnic Heritage Studies Program

Amount of Grant: $37,500

Project Director: June F. Tyler

Abstract: This project will focus on: 1) curriculum development, 2) inservice training for professional and non-professional staff and community residents, 3) dissemination of materials, and 4) an additional area called community cultural events which have been coordinated with the Department of Education. The objectives are to foster pride in ethnic heritage in the local community and tolerance and understanding of two minority groups, black and Puerto Rican, and to serve as a pilot project for coordinated effort by other small communities in ethnic heritage studies. It is planned to involve school, library, and community in the formulation of workshops to be integrated into the existing curriculum of all grade levels plus adapting workshops for use in the public library for a wider range of community groups, including adults.

Participating Ethnic Groups and Educational Organizations:

1. Covenant Church (Swedish)
2. Friends of the Library
3. Historical Society
4. Italian-American Club
5. Jaycees
6. Ladies Choral Club
7. Library Board
8. Liederkranz Society (German)
9. Lions Club

Thomaston Public Library (cont.)

10. Hattatuck Community College
11. Northwest Community College
12. Opera House Commission
13. Parent's Advisory Council
14. Rotary Club
15. Senior Citizens' Commission
16. St. Thomas School
17. Thomaston Public School
18. Women's Club

DISTRICT OF COLUMBIA

Catholic Office of Education
717 Fifth Street, N.W.
Washington, D.C. 20001

Project Title: A Teacher/Principal Training Program in Ethnic Heritage Education

Amount of Grant: $38,000

Project Directors: Sandra N. Smith and Joseph C. Hager

Abstract: The project co-sponsors, the Catholic Office of Education Archdiocese of Washington and Howard University, will plan and implement a 12-month inservice training program enrolling 30 junior high school level teachers and principals from the Catholic schools in the Archdiocese of Washington, D.C. The project intends to develop participant understanding about the value of intercultural learning, sensitivity to one's own cultural background and that of other ethnic groups, and knowledge of ethnic heritage curriculum materials. The participants will not only apply in their classrooms the understanding and skills acquired in the program, but as teacher/administrator teams will serve as models and advocates for improved multiethnic education throughout the school system. Upon completion of the project, the teacher/principal leadership team will work closely with the Catholic Office of Education in continued development and dissemination of multi-cultural programs.

Participating Ethnic Groups and Educational Organizations:
1. School of Education, Howard University

Catholic University
School of Social Services
Washington, D.C. 20064

Project Title: Appreciation of Ethnic Pluralism in Education for Social Work

Catholic University (cont.)

Amount of Grant: $40,000

Project Director: Richard Kolm

Abstract: The focus of this project will be on curriculum development involving the review of the curriculum of the National Catholic School of Social Service and the Catholic University of America, Washington, D.C. This project will develop at least 12 teaching modules for inclusion into regular courses of the school. These modules would enable social work educators to integrate relevant ethnic materials into their teaching with the purpose of helping students to be sensitive to cultural differences, to acquire a knowledge base for understanding ethnic cultural patterns, and to develop skills in adaptation of social work methods in working with ethnic individuals, groups, or communities.

Participating Ethnic Groups and Educational Organizations:
1. American Council of Nationalities Services
2. Catholic charities
3. Jewish charities
4. Schools of Social Work (87 graduate schools)

FLORIDA

Community Action and Research, Inc.
3737 S.W. 8th Street
Miami, Florida 33134

Project Title: Cuban American Ethnic Heritage Program

Amount of Grant: $38,000

Project Director: Octavio Pino

Abstract: This project will develop curriculum materials for a Cuban Ethnic Program primarily at high school and college levels. The curriculum package will consist of twelve half-hour videotapes (six in English and six in Spanish), and an accompanying instructor's manual. The content will consist of three programs on the island heritage and three on the minority group experience in the United States. The integrating role of Latin American music will be emphasized, based on the belief that it transcends the generation gap and will show how Cuban music, art, literature, and drama are part of a larger Latin American culture.

Participating Ethnic Groups and Educational Organizations:
1. Broward County Community College
2. Dade County Public Schools

Community Action and Research, Inc. (cont.)

3. Dade County School Board
4. Encuentro, University of Miami, Spanish Family Therapy Clinic
5. Florida International University
6. Institutos de Estudios Cubanos
7. Interamerican Military Academy
8. Little Havana Activities Center
9. Miami Dade Community College
10. Spanish American League Against Discrimination (S.A.L.A.D.)
11. WPBT-TV Channel 2 (Public Television)
12. WPLG-TV Channel 10

GEORGIA

Metropolitan Cooperative Education Service Agency
2268 Adams Drive, N.W.
Atlanta, Georgia 30318

Project Title: Multi-Ethnic Southern Agrarian Heritage - A Model Oral History Curriculum Unit

Amount of Grant: $39,000

Project Director: Gerald Hodges

Abstract: This project will develop a curriculum unit for eighth-grade through tenth-grade students and will focus on the impact of black and white Agrarians in the Deep South and in the nation as a whole. The unit will help students explore the extensive core of common experiences shared by their black and white rural Agrarian forebears in the Deep South. It also will attempt to place Southern Agrarian culture and ethnic history into proper perspective in an educational setting which values cultural pluralism. The unit will utilize oral history tapes and slides of primary source materials, will build active student learning experiences around those tapes, and will also contain a teacher guide detailing steps for implementation.

Participating Ethnic Groups and Educational Organizations:

1. Clayton County Schools
2. DILENOWISCO Education Cooperative
3. Foxfire
4. Georgia Department of Archives and History
5. Georgia State Department of Education
6. Gwinnett County Schools
7. Institute for Southern Studies, Atlanta, Georgia
8. University of North Carolina Oral History Project

95-343 O - 77 - 34

HAWAII

Leeward Community College
University of Hawaii
96-045 Ai-IKE
Pearl City, Hawaii 96782

Project Title: Heritage of a Plantation Community

Amount of Grant: $40,000

Project Director: George Warfel

Abstract: This project will develop curriculum materials that reflect the important elements of the cultural heritage of the rural plantation community in Hawaii. The materials will consist of video and audio recordings of the history, lifestyles, arts, religion, and other important aspects of the cultures of the multiple ethnic groups that have contributed to the heritage of the plantation community of Waipahu. Materials will be disseminated through several means, including the college's Information and Research Center and the State Community College Systems Office.

Participating Ethnic Groups and Educational Organizations:
1. Friends of the Waipahu Cultural Garden Park
2. Waipahu Community Association

ILLINOIS

Illinois Office of Education
Urban and Ethnic Education Section
188 West Randolph Street
Chicago, Illinois 60601

Project Title: Illinois Project for Cooperative Roles in Multi-Cultural Education

Amount of Grant: $39,000

Project Director: Rita Dee

Abstract: This project will develop an effective model for multi-ethnic training related to a variety of school districts and community needs in ethnic education. It will stress the training of persons to facilitate school-community inter-ethnic understanding. It will promote a cooperative rather than an adversary relationship between the school community in providing and implementing a viable multi-ethnic program. Curriculum designs, evaluation skills, practical "how to's" in the class-

Illinois Office of Education (cont.)

room, as well as effective usage of community resources will comprise the major foci of the training. A series of materials will be developed for both school district personnel and community members that will help facilitate this interaction.

Participating Ethnic Groups and Educational Organizations:
1. Markham School District No. 144
2. Urbana School District No. 116

Polish American Congress
Polonia Oral History
820 N. Michigan Avenue - Suite 915
Chicago, Illinois 60611

Project Title: Oral History Archives of Chicago Polonia

Amount of Grant: $38,000

Project Director: Mary Cygan

Abstract: This project will develop an archives of oral autobiographies of at least 300 members of Chicago's Polish-American Community, through a series of interviews conducted on an average of three 2-hour sessions. Subjects will be selected in two categories: 1) Poles who played an active role in shaping institutions of the community and exceptional individuals; 2) Polish people by areas of origin in Poland and economic background, and area of settlement in Chicago economic and social situations.

Participating Ethnic Groups and Education Organizations:
The following associations are informally represented through members of the Advisory Council:
1. Illinois Division of the Polish American Congress
2. Polish American Educators Association
3. Polish American Historical Association
4. Polish Museum of America
5. United Polish American Councils

INDIANA

Purdue Research Foundation
Purdue University
West Lafayette, Indiana

Project Title: Romanian-American in Lake County, Indiana: An Ethnic Curriculum Project

Purdue Research Foundation (cont.)

Amount of Grant: $32,000

Project Director: Peter John Georgeoff

Abstract: The major thrust of this project is in the preparation of resource materials and written documents on the history, education, and accomplishments of the Romanian-American in Lake County, Indiana. The project will also emphasize the development of Romanian-American heritage curriculum guides and source materials for teachers; the location and microfilming of records; and preparation of slides, filmstrips, videotapes, and recording for instruction by schools, institutions of Romanian-Americans in Lake County, Indiana, and other ethnic groups.

Participating Ethnic Groups and Educational Organizations:

1. Cultural and Fraternal Romanian Societies in Lake County
   - Clubul Nicolae Iorga Society, East Chicago, Illinois
   - Lodge No. 148, Gary, Indiana
   - Transilvaneana Society, East Chicago, Illinois
   - Treicolorul Society, Gary, Indiana
   - Unirea Romana Society, East Chicago, Illinois
2. Romanian-American Churches, Lake County
   - Descent of the Holy Ghost Romanian Orthodox Church, Merrillville, Indiana
   - New St. George Orthodox Church, Lansing, Illinois
   - St. Demitrius Romanian Catholic Church, Indiana Harbor, Indiana
   - St. Nickolas Romanian Catholic Church, East Chicago, Indiana
3. Young People's Groups
   - International Institute
   - Merrillville American Romanian Orthodox Youths
   - RAYS (Romanian American Youth Society)

IOWA

Price Laboratory School
University of Northern Iowa
19th and Campus Street
Cedar Falls, Iowa 50613

Project Title: The Black Experience in Iowa

Amount of Grant: $38,000

Project Director: Donald A. Scovel

Abstract: This project will develop a learning materials system adaptable to social studies instruction in upper intermediate or junior high grades (middle school). Project personnel will (1) organize

Price Laboratory School (cont.)

new ethnic heritage experiences (Black History) based on student use of primary source materials, (2) identify and duplicate primary sources relevant to black experience in Iowa, (3) prepare collateral materials, (4) test materials and strategies with upper intermediate and junior high students, and (5) make the research findings and materials available to teachers of ethnic studies and/or Iowa history throughout the State.

Participating Ethnic Groups and Educational Organizations:
1. Iowa State Historical Society, Iowa City

KENTUCKY

University of Louisville
School of Education
2301 South Third Street
Louisville, Kentucky 40208

Project Title: Louisville Area Ethnic Heritage Studies Teacher Training and Curriculum Development Project

Amount of Grant: $39,000

Project Directors: Edward Bergman and Everett Egginton

Abstract: This project will create six curriculum development teams for the purpose of evaluating existing curricular materials dealing with ethnic studies and develop new materials which will be introduced into selected schools on a trial basis. A community Resource Index will be developed to strengthen two multi-media Resource Centers in Ethnic Heritage Studies for use by public school personnel and community groups. A series of television programs will be produced for use in public schools and for airing to the general public. Six Ethnic Heritage days will be organized in middle and high schools in six Louisville areas during the 1976-77 school year. A monograph series for dissemination to local schools on the contribution of various ethnic groups in the development of Kentuckiana (Louisville and Southern Indiana) also are to be completed.

Participating Ethnic Groups and Educational Organizations:
1. Educational Development Center of the Jefferson County Public Schools
2. Louisville Area Advisory Council on Ethnic Heritage Studies
3. Louisville Bicentennial Corporation
4. University of Louisville

MARYLAND

Baltimore City Public Schools
Region III Office
100 North Chester Street
Baltimore, Maryland 21231

Project Title: PATHWAY (Promoting America's Total Heritage With All Youth)

Amount of Grant: $40,000

Project Director: Myron M. Winer

Abstract: The PATHWAY Project for the Baltimore City Public Schools and Baltimore ethnic community will provide a nucleus for collection, circulation, utilization, and dissemination of ethnic heritage-related source and reference materials already developed locally and nationally. The objective of the project is to make available to educators, parents, students, and community people a central source for ethnic heritage-related information in order to complement and support the activities within the school system and the community which have an ethnic heritage thrust. The project will also develop a catalogue at the PATHWAY Resource Center of the informational data and reference materials concerned with ethnic heritage programs being implemented throughout the nation, as well as text books, audio-visual listing, community resources available locally from area libraries, museums, ethnic centers, etc.

Participating Ethnic Groups and Educational Organizations:

1. All Nations Foundation, Inc.
2. American Indian Studies Center
3. Arena Players
4. Baltimore International Division, Y.M.C.A.
5. Baltimore Jewish Council
6. Delta Sigma Sorority, Inc.
7. Estonian House, Baltimore
8. German-American Citizens Union
9. Greek Orthodox Community "St. Nicholas"
10. Lithuanian-American Community of Baltimore
11. On Leong Chinese Merchants Association
12. Order of the Sons of Italy
13. Polish National Alliance
14. Sons of Norway
15. The Irish House

Board of Education of Frederick County
115 East Church Street
Frederick, Maryland 21701

Project Title: Frederick County Ethnic Heritage Studies Program

Board of Education of Frederick County (cont.)

Amount of Grant: $40,000

Project Directors: Robert Hess and Joseph Ozag

Abstract: The Board of Education of Frederick County will prepare teachers to teach ethnic heritage studies and will attempt to integrate ethnic heritage curriculum with extant curricula K-12 and increase teacher and student awareness and acceptance of a pluralistic culture. About 75 teachers will be trained in a two-week summer workshop where they will develop 25 integrated units of an ethnic heritage curriculum. Five three-person teams of trained teachers will in turn train an additional 200 teachers to use the units. The units developed will be implemented by 275 teachers distributed among all 34 schools of Frederick County.

Participating Ethnic Groups and Educational Organizations:

1. Anti-Defamation League of B'nai B'rith
2. B & F Associates, consulting firm, Clinton, Maryland
3. Ethnic Heritage Center for Teacher Education, University of Maryland
4. Human Relations Unit, Maryland State Department of Education

Middle East Educational Trust, Inc.
8401 Connecticut Avenue
Chevy Chase, Maryland 20015

Project Title: The Arab-American Ethnic Heritage Film Project

Amount of Grant: $38,000

Project Director: Joseph J. Malone

Abstract: This project will produce a 30-minute educational documentary film designed as a curriculum aid to be distributed to secondary schools throughout the country. The primary objective of the film is to fill the existing gap in the secondary school curriculum materials (grades 10-11) about Arab and Arab-American cultures. A film strip will be developed for use at elementary and secondary levels and will also have educational impact at the college and adult levels as well. A packet of teaching materials and self evaluative forms will accompany the film. It will be aired locally and regionally on television and will be used by clubs, churches, mosques, business, labor, and social groups. Prints will be available to schools and community ethnic groups and will be offered to all existing Ethnic Heritage Programs now in progress or in process of development across the country.

Participating Ethnic Groups and Educational Organizations:

1. AAUG, New England Chapter
2. American-Arabic Association, Boston, Massachusetts

Middle East Educational Trust, Inc. (cont.)

3. American Friends of the Middle East
4. American Near East Refugee Aid
5. Americans for Middle East Understanding
6. Association of Arab-American University Graduates, National (AAUG)
7. Midwest Federation of American Syrian-Lebanese Clubs, Parma, Ohio
8. Near East Foundation
9. Western Federation of Americans of Arabic Heritage, Denver, Colorado
10. U.S.-Arab Chamber of Commerce

MASSACHUSETTS

TCHUBA, Inc.
14 Beacon Street
Boston, Massachusetts 02108

Project Title: Understanding Culture and Human Resources Through the Study of Cape Verdean Ethnic Heritage

Amount of Grant: $22,000

Project Director: Raymodn A. Almeida

Abstract: The American Committee for Cape Verde, in conjunction with the Reading Massachusetts Public Schools, Boston's Metropolitan Council for Educational Opportunity (METCO), Scituate Massachusetts Public Schools, East Providence Rhode Island Public Schools, and the Cape Verdean Educators Collaborative will develop curriculum materials for elementary and secondary schools which are aimed at understanding the Cape Verdean experience in America and in the Cape Verde Islands. The following curriculum materials will be prepared: 1) two 10-minute slide tapes depicting life on the Cape Verde Islands; 2) readers for use in middle and junior high schools retelling folklore and stories from the Islands; 3) a teachers' unit entitled, "The Effect of Archipelago Life on Culture: Cape Verde and Hawaii" for junior high school geography classes; 4) a public issue discussion pamphlet, high school level, "Cultural Assimilation: The Cape Verdean-American as an Unmeltable Ethnic;" and 5) a 15-minute color video-tape 1/2" reel and 3/4" cassette format entitled "Cape Verde: Many Faces, One People" for use on the university level.

Participating Ethnic Groups and Educational Organizations:
1. Cape Verdean Educators Collaborative, Boston, Massachusetts
2. C.V. American Federation, Providence, Rhode Island
3. C.V. Recognition Committee, New Bedford, Massachusetts
4. Reading Massachusetts Public Schools, Curriculum
5. Scituate Massachusetts Public Schools, Bilingual Education Department

MICHIGAN

Detroit Public Schools
5057 Woodward Avenue
Detroit, Michigan 48202

Project Title: Ethnic Heritage Studies Program of the Detroit Public Schools

Amount of Grant: $43,000

Project Director: Norman McRae

Abstract: This project will develop a training model which will be used to train a carefully selected cadre of ethnically heterogeneous staff persons in both the affective and cognitive domains. This cadre will, in turn, train other sets of social studies teachers and administrators in the nine regions of the Detroit Public Schools until all social studies teachers have had training.

Participating Ethnic Groups and Educational Organizations:
1. Southeast Michigan Regional Ethnic Heritage Studies Center
2. Wayne State University Center for Black Studies

Suomi College
601 Quincy Street
Hancock, Michigan 49930

Project Title: A Modular Instructional Approach to Finnish Culture and Its Contributions to American Life

Amount of Grant: $23,000

Project Director: Arthur E. Puotinen

Abstract: The principal objective of this program will be to design, produce, publicize, and disseminate materials on Finnish Americans; and to train personnel in the introduction and utilization of curriculum materials in cooperation with ethnic interest-groups throughout America. A modular approach will provide learning units of immigrant history and geography for senior high schools, upper elementary grades, college ethnic organizations, and individuals. It is proposed that instructional materials be containerized and distributed in the form of instructional kits that are readily portable and mailable. This system will be called Finnbox to contain teachers' guides, bibliographies, maps, memorabilia, artifacts, audiovisuals, pre-tests, and post-tests for distribution to national Finnish student audiences.

Participating Ethnic Groups and Educational Organizations:
1. Academy of Finnish-American Scholars
2. Gogebic Community College, Ironwood, Michigan

Suomi College (cont.)

3. Hibbing State Junior College, Hibbing, Minnesota
4. Mesabi State Junior College, Virginia, Minnesota
5. Michigan Technological University, Houghton, Michigan
6. Northern Michigan University, Marquette, Michigan
7. Vermillion State Junior College, Ely, Minnesota

MICRONESIA

Trust Territory of the Pacific Islands
Department of Education
Capitol Hill
Saipan, Mariana Island 96950

Project Title: Interchanging Resources to Activate Cultural Ties Project (INTERACT)

Amount of Grant: $39,000

Project Director: Justin Manglona

Abstract: This project will focus on 1) materials development, 2) teacher training, and 3) student instruction, all in the area of social studies for the 11th grade throughout Micronesia. A staff/teacher training workshop will be conducted by project personnel at which participants from six districts can recognize their cultural ties by working and living together for intercultural sensitivity and technical skills development. A number of materials will be produced through this project, such as 1) a teacher's guide or manual, 2) six to nine student-produced magazines, 3) one magazine containing at least 15 articles which follow a theme of one aspect of a particular community within Micronesia, 4) six to nine exemplary student media type projects, and 5) as many as 1,000 student-produced multiethnic materials and essays.

Participating Ethnic Groups and Educational Organizations:
1. Bilingual Education Project Staff in each district
2. Community Action Agency in each district
3. Community College of Micronesia
4. Director of Library Services and Social Studies Coordinator, HDQRS
5. The University of Guam
6. The University of Hawaii

MINNESOTA

Minnesota Public Schools
Ethnic Cultural Center
1201 University Avenue, N.E.
Minneapolis, Minnesota 55413

Minnesota Public Schools (cont.)

Project Title: Five-State Multi-Ethnic Training Project

Amount of Grant: $42,000

Project Director: Christian K. Skjervold

Abstract: The objective of this project is to train key representatives from local school districts throughout the states of Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin who will, in turn, train teachers in their home area through the introduction and demonstration of teaching materials and strategies and the implementation of multi-ethnic studies. A series of thirteen regional workshops at key sites in the five states will be available for curriculum consultants, department chairpersons, and other supervising personnel. The general goal of this project is to bring about changes in teachers' attitudes toward the teaching-learning process, involving multi-ethnic curriculum materials, ethnic studies, and students of differing ethnic backgrounds.

Participating Ethnic Groups and Educational Organizations:
1. Minnesota Project of Ethnic America
2. State Departments of Education from Iowa, Minnesota, North and South Dakota, and Wisconsin
3. Upper Midwest Ethnic Studies Association

NEW HAMPSHIRE

New Hampshire College
2321 Elm Street
Manchester, New Hampshire 03104

Project Title: New Hampshire Franco-American Ethnic Heritage Curriculum Development Program

Amount of Grant: $33,000

Project Director: Lucille J. Beaulieu

Abstract: The principal objective of this program is to provide academic training in ethnic studies through an interdisciplinary approach to approximately 30 New Hampshire College and University foreign language faculty and other interested personnel, to give them experience in approved field research techniques, and to acquaint Franco-Americans and others in New Hampshire and elsewehere with the various facets of French culture in the United States and especially in New Hampshire.

Participating Ethnic Groups and Educational Organizations:
1. Colby-Sawyer College
2. Federation Féminine Franco-Americaine

New Hampshire College (cont.)

3. Franconia College
4. Franklin Pierce College
5. Keene State College
6. Mount St. Mary College
7. Nathaniel Hawthorne College
8. New England College
9. New Hampshire College
10. Notre Dame College
11. Plymouth State College
12. Rivier College
13. St. Anselm's College
14. The Richelieu Club International
15. University of New Hampshire

NEW MEXICO

College of Santa Fe
Department of Social Science
Station 1
Santa Fe, New Mexico 87501

Project Title: Native-American and Spanish-American Culture Curriculum Development

Amount of Grant: $39,000

Project Director: Natividad Chavez

Abstract: This project focuses on the development of curricula and curricular materials which record the cultural, historic, and literary heritage of the Spanish-American and Native-American cultures in Northern New Mexico and the Southwest. The primary result of the curriculum development activities will be increased understanding of the dominant minority cultures in New Mexico and of the cross-cultural influences which have produced the current life style in the state.

Participating Ethnic Groups and Educational Organizations:

1. All-Indian Pueblo Council
2. College of Santa Fe's Southwestern Library Collection
3. Highlands University
4. Local Leaders of Urban and Rural Hispanos
5. Museum of Anthropology
6. The Iberian Institute of Colonial Art
7. The Institute of American Indian Arts, La Sociedad Folklorica
8. University of Albuquerque
9. University of New Mexico

Indian Pueblo Cultural Center, Inc.
Post Office Box 6807, Station B
Albuquerque, New Mexico 87107

Project Title: Pueblo Contributions to the American Heritage

Amount of Grant: $38,000

Project Director: Preston McCrossen

Abstract: This project will develop an educational program directed at the high school and primary grade levels, both for the Pueblo and the non-Indian community, and will provide the authentic Pueblo story and promote effective interaction between Indian and non-Indians. Plans have been formulated to develop the museum of the Center as an educational instrument. The specific objectives of the project are development of an educational program and its delivery to the Indian and non-Indian communities via the construction of suitcase exhibits to be displayed first in the Center and then transported for display in the 19 Pueblos, preparation and printing of a Pueblo history, and training of Pueblo teacher aides to administer the educational service.

Participating Ethnic Groups and Educational Organizations:

1. Albuquerque Public Schools
2. All Indian Pueblo Council
3. American Revolution of the Bicentennial Administration
4. Campaign for Human Development
5. City of Albuquerque
6. Ethnic Development Administration of Department of Commerce
7. Four Corners Regional Commission
8. Friends of the Cultural Center
9. General Service Foundation
10. Institute of American Indian Arts
11. Maxwell Museum
12. Museum of Albuquerque
13. National Endowment for the Arts
14. National Endowment for the Humanities
15. Office of Native Americans Programs of HEW
16. Principals from the Bureau of Indian Affairs School
17. State Department of Education in New Mexico
18. State of New Mexico
19. University of New Mexico

NEW YORK

Association for Multiethnic Programs, Inc.
114 Fifth Avenue
New York, New York 10011

Project Title: A Multicultural Project for Urban Studies in Middle Schools

Association for Multiethnic Programs, Inc. (cont.)

Project Director: Max Nadel

Abstract: This project will develop and disseminate multicultural instructional materials for middle schools. It will have a training program in the Department of Social Education for 15 teachers from public and private schools. Stress will be placed especially at the eighth grade level in the urban studies courses of the New York schools where there has been a lack of ethnic studies components and in the creation of a teacher's manual containing models and recommendations for units, socio-dramas, strategies, etc., growing out of the interaction of course participants, faculty, and experienced supervisors of studies in cultural pluralism.

Participating Ethnic Groups and Educational Organizations:

1. The American-Irish Historical Society
2. The Association for the Study of Afro-American Life and History, Region II
3. The China Institute in America
4. The Commission of Jewish Studies in Public Schools of the American Association for Jewish Education
5. The Italo-American Forum
6. The Puerto Rican Institute of Social Research

Board of Cooperative Educational Services
42 Triangle Center
Yorktown Heights, New York 10598

Project Title: Scandinavian-American Ethnic Heritage Curriculum Studies

Amount of Grant: $38,000

Project Director: George Simpson

Abstract: This project will make available Scandinavian ethnic studies materials to schools through the aegis of the American-Scandinavian Foundation, Sons of Norway, other ethnic organizations, universities, and Scandinavian Information Services as a continuing "clearing-house" for such materials; establish and maintain university programs on Scandinavian studies; construct instructional units, including film strips, tapes, and printed materials for elementary, middle, and high school classes; teach students in thirteen classes about Scandinavian mores, customs, and traditions and the nature of their own heritage; help schools incorporate Scandinavian cultural ethnic units into curricula; and develop an exportable model on resource manual and an instructional unit for the children at grades 5, 8, and 11, will be developed.

Board of Cooperative Educational Services (cont.)

Participating Ethnic Groups and Educational Organizations:

1. American Field Service
2. American-Scandinavian Foundation
3. American Swedish Institute
4. BOCES-Putnam/Northern Westchester
5. BOCES-Rockland County
6. BOCES-Southern Westchester
7. Danish Information Service
8. Gustavus Adolphus College
9. Finnish Information Service
10. Jamestown Teachers' Association
11. Mid-Hudson Study Council
12. Nanuet Public Schools
13. Norwegian Information Service
14. Scandinavian Seminar
15. Sons of Norway
16. State Education Department
17. State University of New York at Albany
18. Swedish Information Service
19. Vasa Order of New Jersey
20. Valhalla High School

Bronx Community College
Center for Continuing Education and
Community Services
University Avenue & West 181st Street
Bronx, New York 10453

Project Title: Ethnic Theater: Springboard for a Multiethnic Curriculum

Amount of Grant: $42,000

Project Directors: Robert Lear and John Bragin

Abstract: Through this project, 136 economically disadavantaged but culturally rich students from Theodore Roosevelt High School, representing no fewer than 10 district ethnic heritages, will be trained to develop exportable classroom presentations utilizing their own Ethnic Theater traditions and team teaching approaches to share their original cultures with multiethnic student populations at their home school or impact school, and at three receiving satellite Bronx high schools working closely with project-trained teachers, from different curriculum content areas and ethnic backgrounds. At the impact and satellite schools these students will offer lecture demonstrations, mini-performances, and ethnic theater workshops specially adapted for incorporation into regular instructional units in social studies, language arts, speech and drama, art, music, dance, and vocational training programs, all of which can serve as a national model.

Bronx Community College (cont.)

Participating Ethnic Groups and Educational Organizations:

1. Alitalia Air Lines
2. American Council for Emigres in the Professions
3. American Dance Guild
4. American Immigration and Citizenship Conference
5. American Theater Association
6. Bard College
7. Ballet Hispanico
8. Bess Pruitt Associates
9. Bronx Arts Ensemble
10. Bronx Boro President's Office
11. Bronx Council on the Arts
12. Bureau of Art, Board of Education, City of New York
13. China Institute
14. Chuck Davis Dance Co.
15. Donnell Film Library
16. Educational Film Library Association
17. Italian-American Center for Urban Affairs
18. Italian Historical Society of America
19. Italian Government Travel Agency
20. Italo-American Newspaper
21. Mass Transit Theater
22. New York Amsterdam News
23. New York State Council for the Arts
24. Office of Bilingual Education, Board of Education, City of New York
25. Otter Productions
26. Pauling Kover Dance Consort
27. Superintendent of Bronx High Schools
28. Urban Cultural Foundation

John Jay College of Criminal Justice
Office of Special Programs
444 West 56th Street
New York, New York 10019

Project Title: Program Development for Public Service Ethnic Affiliate Associations

Amount of Grant: $33,000

Project Director: Charles A. Bahn

Abstract: This project will develop not less than eight curricula for courses or seminars reflecting distinctive ethnic heritages (particularly black and Spanish speaking). Since ethnic associations have been part of the history of criminal justice agencies and other public service agencies, the materials used will be developed around common themes including criminal-justice and public service issues.

John Jay College of Criminal Justice (cont.)

Participating Ethnic Groups and Educational Organizations:

1. Columbia Association, Astoria, New York
   New York City Transit Police Department
   Police Department, City of New York
2. Emerald Society, Brooklyn, New York
   Department of Correction, City of New York
   Police Department, City of New York
3. Gonen Society
   Grand Council of Pulaski Society
   New York City Transit Police
   Praetorian Society
   Pulaski Society of Police Department
   Sentinel Society
   Tribune Society
4. Hispanic Society, Inc., Flushing, New York
   New York City Housing Police Department
   New York City Transit Police Department
5. National Conference of Shomrim Societies
   National Headquarters
6. The City of New York, Department of Correction
   Brooklyn House of Detention for Men

New York City Board of Education
Center for the Humanities and Arts
131 Livingston Street
Brooklyn, New York 11201

Project Title: The Caribbean-American Experience: The Recent Black Immigrant

Amount of Grant: $33,000

Project Director: Albert Post

Abstract: The purpose of this project is to train and involve a core group of secondary school students and teachers, college students and teachers, and adult community residents in documentation of the Caribbean-American experience, and to translate the documentation program into effective learning experiences which promote and preserve the Caribbean-American cultural heritage.

Participating Ethnic Groups and Educational Organizations:

1. Caribbean-American Legal Institute
2. Caribbean-American Repertory Theater
3. Caribbean-Students Association
4. Carriacou Carib Organization
5. Chango Group (Dance)

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New York City Board of Education (cont.)

6. Choucone Theatre Group
7. Dominican Movement
8. Theatre Choucoune
9. The Caribbean Culture Institute
10. The Haitian American Citizen Society
11. The Organization for Promotion and Progress of Gutanese
12. West Indian American Day Carnival Association

State University of New York
at Binghamton
Political Science Department
Binghamton, New York 13901

Project Title: Ethnic Education for Future and Present Public Administrators

Amount of Grant: $38,000

Project Director: Mary T. Hanna

Abstract: This project will be directed toward educating and sensitizing people already employed in local government agencies as well as graduate level public policy and administration students to the cultures, values, and politics of major ethnic groups. Courses will be taught in black, Jewish, white Catholic, and other ethnic cultures to include colloquia with national ethnic leaders and scholars, and internships designed around planning for and serving a multi-ethnic clientele. Dissemination of curriculum plans and project reports will be made to other public administration and policy institutions and schools preparing curriculum plans, programs, materials, and evaluations to aid development of similar ethnic learning and sensitization.

Participating Ethnic Groups and Educational Organizations:
1. American Civic Association
2. Department of Political Science, S.U.N.Y., Binghamton, New York

Teachers College, Columbia University
Institute for Urban and Minority Education
525 West 120th Street, Box 75
New York, New York 10027

Project Title: Teacher Training Module for Implementing Multi-Ethnic Social Studies in Elementary Schools

Amount of Grant: $40,000

Project Director: Charles C. Harrington

Teachers College, Columbia University (cont.)

Abstract: This project will develop a pilot module for the training of teachers in the use of cross-cultural social studies programs for grades 1, 2, and 3. The module would include: 1) a manual exploring the teaching strategies to meet and expand learning styles in various Hispanic background students; 2) a package for 15 workshop sessions that would cover such areas as the concept of culture, the school as a social system, teacher strategies, learning styles, values clarification; and 3) the development of video tapes for use by teacher trainers that would show different teaching styles in various learning environments and also model workshop lessons.

Participating Ethnic Groups and Educational Organizations:

1. Community School District #3, Manhattan Bilingual Programs
2. Community School District #8, Bronx Bilingual School Complex
3. ERIC Clearinghouse on Urban Education
4. Hempstead, Long Island Bilingual Program
5. Hunter College, City University of New York
6. Nassau, Long Island, Bureau of Cooperative Educational Services (BOCES)
7. New York State Education Department, Bilingual Education Unit
8. Project SABER, New York City Board of Education

NORTH DAKOTA

United Tribes of North Dakota
3315 S. Airport Road
Bismarck, North Dakota 58501

Project Title: Ethnic Heritage Studies Training Project

Amount of Grant: $38,000

Project Director: Angelita Dickens

Abstract: The objective of this project is to train teachers, administrators, and community members in Native American heritage studies. Five field offices established by the American Indian Curricula Development Program in North Dakota are to be used as training centers. There will be leadership training and monthly workshops and seminars in how to implement Ethnic Heritage Studies. The project will assure that teachers have practical knowledge in addition to producing curriculum materials. A handbook on how to teach Ethnic Heritage Studies in the classroom will be developed and will include participant teachers' contributions.

Participating Ethnic Groups and Educational Organizations:

1. North Dakota Indian Affairs Commission
2. North Dakota Indian Education Association
3. Project Bridge
4. State Department of Public Instruction
5. The Institute of Community Understanding

OHIO

Cleveland State University
(Ethnic Heritage and Language Schools, Inc.)
Department of Economics
Cleveland, Ohio 44115

Project Title: Curriculum Improvement and Teacher Training for Community Ethnic Language and Culture Schools

Amount of Grant: $43,000

Project Director: Karl Bonutti

Abstract: The specific objectives of this project are to develop a package of widely adaptable and inexpensively reproducible language teaching materials, and a manual for training community school teachers in their use. The fulfillment of these objectives will have a significant impact on the quality of learning in the area's ethnic language and culture schools, on the preservation and dissemination of ethnic culture, and on cross-cultural awareness in the community as a whole. The materials and methods developed will serve as a model for community language and culture schools throughout the United States.

Participating Ethnic Groups and Educational Organizations:

1. Catholic Board of Education, Cleveland
2. Cleveland Board of Education
3. Cleveland State University, Modern Language Department and College of Education
4. Saturday Language Schools

OKLAHOMA

University of Oklahoma
Southwest Center for Human Relations Studies
Center for Continuing Education
555 Constitution Avenue
Norman, Oklahoma 73069

Project Title: American Indian Heritage Studies Program

Amount of Grant: $40,000

Project Director: Ira M. Eyster

Abstract: This project will develop cultural heritage curriculum materials relating to four Oklahoma Indian tribes for the purpose of enriching and increasing the appreciation and understanding of the heritage of these tribes in grades K-8. Materials feature

University of Oklahoma (cont.)

contrasting values, stories, legends, environmental attitudes, and resources of each tribe. It is anticipated that at least 120 printed guides will be disseminated to public schools having students who are members of the four tribes. Other means of dissemination will be through workshops conducted by the Southwest Center for Human Relations Studies.

Participating Ethnic Groups and Educational Organizations:

1. JOM, Title IV, Committees
2. Local Indian people
3. Local non-Indian community people
4. Local systems (Anadarko Public Schools, Muskogee Public Schools, and Sapupla Public Schools)
5. Local tribal groups

OREGON

Confederated Tribes of the Umatilla Indian Reservation
Umatilla Tribal Education Board
Post Office Box 638
Pendleton, Oregon 97801

Project Title: Indian Studies Curriculum Development Program

Amount of Grant: $35,000

Project Director: Woesha Hampson

Abstract: This project will develop and establish an Indian Curriculum Development Program to meet the needs of Indian students, non-Indian students, school district staff, Indian parents, and community members. A pilot testing will be made of twelve curriculum materials units on Indian culture and history and of a video tape series providing an historical overview of the Cayuse, Walla Walla, and Umatilla Tribes.

Participating Ethnic Groups and Educational Organizations:

1. Northwest Regional Education Laboratory
2. Pendleton School District
3. Umatilla County I.E.D.

PENNSYLVANIA

Metropolitan Pittsburgh Public Broadcasting, Inc.
Educational Services
4802 Fifth Avenue
Pittsburgh, Pennsylvania 15213

Metropolitan Pittsburgh Public Broadcasting, Inc. (cont.)

Project Title: One Land, Many Voices

Amount of Grant: $38,000

Project Director: John J. Sommers

Abstract: This project will produce 15 1-hour radio programs with a college course component for dissemination through the facilities of the National Public Radio Network to stations throughout the country. The programs will relate to the multi-ethnic musical heritage of the country and will be based on commercial and locally produced musical selections interspersed with commentary on the commonality of themes or topics among various ethnic groups. This project will add a new dimension to the expansion of knowledge and appreciation of the ethnic pluralism in America.

Participating Ethnic Groups and Educational Organizations:
1. Metropolitan Pittsburgh Public Broadcasting
2. SCAMP
3. University of Pittsburgh

University of Pittsburgh
Pennsylvania Ethnic Heritage Studies Center
151 Mervis Hall
Pittsburgh, Pennsylvania 15260

Project Title: Dissemination Through Training Workshops

Amount of Grant: $43,000

Project Director: Sandy Smeltz

Abstract: The purpose of this project is to disseminate critically selected ethnic studies materials and to instruct educators in the use of these materials through workshops. Each of the three major ethnic regions in the State will plan and sponsor one series of workshops for elementary school teachers and administrators and another series for secondary school teachers and administrators. The rationale of the project is to continue to make available to educators the ethnic studies material developed by Title IX projects; to refine and particularize the scope of previous projects by disseminating materials to recently identified and carefully selected educators, and to add to the work in ethnic studies that has been done in the State of Pennsylvania.

Participating Ethnic Groups and Educational Organizations:
1. Department of Education at the University of Pittsburgh
2. Pittsburgh Council of Higher Education
3. University of Pennsylvania
4. Wilkes College

SOUTH CAROLINA

Winthrop College
Rock Hill, South Carolina 29733

Project Title: York County Multiethnic Cultural Heritage Project

Amount of Grant: $38,000

Project Director: B. Joye Pettigrew

Abstract: This project in cooperation with York County School District #31, York County Museum, and City of Rock Hill Recreation Department will focus on the development and dissemination of short, self-contained instructional modules to aid the major ethnic groups in the area (Afro-American, American Indian, and Southern Appalachian) in learning more about their own ethnicity and the contributions of other ethnic groups to the total cultural heritage of York. The project will consist of a review of available materials and collection of data from the local community as resources for prototype modules to be field-tested in local classrooms, county museums, and neighborhood centers.

Participating Ethnic Groups and Educational Organizations:

1. Rock Hill City Recreation Department
2. Winthrop College
3. York County Museum
4. York County Schools: District #3, Rock Hill, South Carolina

TEXAS

Human Systems, Inc.
3300 W. Mockingbird Lane, Suite 530
Dallas, Texas 75235

Project Title: Ethnic Studies in the One-Race Classroom

Amount of Grant: $38,000

Project Director: Donald H. Weiss

Abstract: This project will develop a curriculum and training package to prepare teachers to teach children in culturally isolated classrooms how to understand, respect, and effectively deal with other cultures. The training team will conduct a series of 6 to 10 workshops with groups of 6 to 12 fifth grade elementary teachers in each group. Each workshop is evaluated until one basic training design will sufficiently accomplish the purposes of the program. The selected design is used in a series of 3 to 10 workshops of up to 40 elementary teachers each. This may be in a variety of one-race school situations, in other schools in the target district, or in whichever districts the team's services are requested.

Human Systems, Inc. (cont.)

Participating Ethnic Groups and Educational Organizations:
1. Casa de Los Amigos
2. Garland I.S.D.
3. Hurst-Euless-Bedford Schools
4. Inter-Tribal Council
5. Project Bread Basket
6. Region X Educational Services Center
7. Tarrant County Junior College

VERMONT

Green Mountain College
Poultney, Vermont 05764

Project Title: Welsh Revival Project

Amount of Grant: $13,000

Project Director: Margot McKinney

Abstract: This project is designed to preserve the heritage and history of the Welsh population in the Poultney area, to pass it on to the young, especially those of Welsh descent, and to rekindle the ethnic consciousness in a group which once contributed significantly to the area.

Participating Ethnic Groups and Educational Organizations:
1. Poultney Elementary School
2. Poultney High School
3. Welsh Advisory Council

VIRGINIA

Greater Washington Educational
Telecommunications Association, Inc.
3620 27th Street, South
Arlington, Virginia 22206

Project Title: The Folklore of Black America: A Television-Based Curriculum for Ethnic Heritage Studies

Amount of Grant: $38,500

Project Director: Samuel Johnson

Abstract: This project will develop and produce an instructional television series on Black American Folklore. The series will consist of four 15-minute projections, directed specifically to students ranging in age from 7 through 14, although people of all

Greater Washington Educational
Telecommunications Association, Inc. (cont.)

age groups and backgrounds should enjoy these programs. Black scholars, teachers, and students will be involved in the development of this material as a curriculum. The teachers' guides will consist of guidelines, the folktales and songs from the programs, and an annotated bibliography. They also will contain questionnaires through which a teacher or parent may evaluate the student's response to the program. These questionnaires will be developed and responses tabulated and utilized in the formative evaluation phase of this project. The television and the non-broadcast classroom uses of the proposed series will constitute a most effective dissemination process and will be available to community organizations, parents, and interested institutions.

Participating Ethnic Groups and Educational Organizations:

1. Anacostia Neighborhood Museum
2. D.C. Public Schools
3. D.C. Right to Read
4. Howard University
5. Morgan State University
6. University of Maryland

WASHINGTON

Seattle School District No. 1
Curriculum and Special Services
3928 So. Graham Street
Seattle, Washington 98118

Project Title: Rainbow Approach to Classroom Education (R.A.C.E.)

Amount of Grant: $40,000

Project Director: Mako Nakagawa

Abstract: This project has as its basis the Rainbow approach to classroom education, which aims to build human relations skills. With the focus on cultural pluralism, a Rainbow Activities Booklet was designed as a foundation for this project. This booklet contains 50 classroom human relations skill-building exercises focusing on multi-ethnicity and cultural pluralism, that can be utilized by a sensitized teacher oriented to the Rainbow philosophy. A minimum of eight outside school districts will receive training sessions and prototype kits as part of the field testing and verification of the dissemination model. A major purpose is to develop and standardize a teacher-training program to prepare educators to use the booklet and kit successfully in the classroom.

Seattle School District No. 1 (cont.)

Participating Ethnic Groups and Educational Organizations:

1. Asian American Education Association
2. Auburn School District
3. Bellevue School District
4. Bellingham School District
5. C.Q.I.E.
6. Educational Service District #110
7. Filipino Youth Activities
8. Harborview Mental Health
9. Highline School District
10. Indian Heritage High School
11. Issaquah School District
12. Jade Guild
13. Japanese American Citizens League
14. Lake Washington School District
15. North Kitsap School District
16. Northshore School District
17. Portland General Assistance Center
18. Projecto Saber
19. Renton School District
20. Seattle Community College
21. Seattle University
22. University of Washington
23. Tacoma School District
24. United Indians of All Tribes
25. Vashon Island School District
26. Womens Commission

WISCONSIN

Greater Milwaukee Conference on
Religion and Urban Affairs
1442 North Farwell Avenue, Suite 303
Milwaukee, Wisconsin 53202

Project Title: A Multi-Ethnic Curriculum Planning and Design Model for Milwaukee, Wisconsin

Amount of Grant: $38,000

Project Director: Sara Spellman

Abstract: This project involves the creation of a curricular process model for the development of a quality integrated school index through consultation with national researchers; the identification of the problems of inter-ethnic/racial communication on this subject in four pilot areas; the development in these areas by ethnic leaders of ethnic strategies for achieving quality integrated schools; and the sharing of these strategies through a series of multi-ethnic racial dialogues.

Greater Milwaukee Conference on
Religion and Urban Affairs (cont.)

Participating Ethnic Groups and Educational Organizations:

1. Center for Urban Community Development of the University of Wisconsin - Extension
2. Coalition for Peaceful Schools
3. Department of Community Education - University of Wisconsin, Milwaukee, Wisconsin
4. Inter City Development Project - Centro Nuestro
5. International Institute of Milwaukee County
6. Greater Milwaukee Conference of Religion and Urban Affairs
7. Milwaukee Public School Board
8. Milwaukee Public School - Committee of 100
9. Parent Advocate

WYOMING

University of Wyoming
Department of History
Box 3334, University Station
Laramie, Wyoming 82071

Project Title: Wyoming European Heritage

Amount of Grant: $38,000

Project Director: Gordon Hendrickson

Abstract: This project will develop curriculum materials of seven European Ethnic Heritage groups of the State of Wyoming for use by elementary and secondary school, community college, and university faculty. Seven teams, each directed by a community college teacher or a Wyoming State Historical Society member, will investigate the ethnic heritage of the seven groups within their respective areas. It includes Basque, Greek, Italian, and Scandinavian, as well as those from the British Isles, the German-speaking areas, and the Slavic countries. Research teams will focus upon the social and cultural impact of the European ethnic groups. Materials will be gathered and edited into a single presentation that will be the subject of an institute for 30 teachers and curriculum coordinators (K through college) in 1977.

Participating Ethnic Groups and Educational Organizations:

1. Casper College
2. Central Wyoming College
3. College of Arts and Science, University of Wyoming
4. College of Education, University of Wyoming
5. Department of History, University of Wyoming
6. Central Wyoming College
7. Historical Research and Publications Division, Wyoming State Archives and Historical Department
8. Laramie County Community
9. Sheridan College
10. Western Wyoming Community College

NUMBER OF APPLICATIONS RECEIVED AND FUNDED
WITH THE AMOUNT OF GRANT, BY STATE

State	APPLICATIONS Received*	Funded	Amount of Grant
Alabama	9	1	$ 40,000
Alaska	3	-	---
American Samoa	1	-	---
Arizona	13	1	38,000
Arkansas	4	-	---
California	50	3	116,000
Colorado	8	1	35,000
Connecticut	6	2	62,500
Delaware	4	-	---
District of Columbia	22	2	78,000
Florida	12	1	38,000
Georgia	10	1	39,000
Guam	1	-	---
Hawaii	7	1	40,000
Idaho	4	-	---
Illinois	23	2	77,000
Indiana	7	1	32,000
Iowa	3	1	38,000
Kansas	5	-	---
Kentucky	3	1	39,000
Louisiana	4	-	---
Maine	5	-	---
Maryland	10	3	118,000
Massachusetts	19	1	22,000
Michigan	19	2	66,000
Micronesia	1	1	39,000
Minnesota	12	1	42,000
Mississippi	3	-	---
Missouri	6	-	---
Montana	5	-	---
Nebraska	6	-	---
Nevada	3	-	---
New Hampshire	4	1	33,000
New Jersey	15	-	---
New Mexico	8	2	77,000
New York	86	7	250,000
North Carolina	10	-	---

* The numbers in this column refer only to those applications that were received by the deadline date.

State	Received	Funded	Amount of Grant
North Dakota	6	1	$ 38,000
Ohio	17	1	43,000
Oklahoma	11	1	40,000
Oregon	7	1	35,000
Pennsylvania	27	2	81,000
Puerto Rico	3	-	---
Rhode Island	3	-	---
South Carolina	6	1	38,000
South Dakota	4	-	---
Tennessee	5	-	---
Texas	18	1	38,000
Utah	1	-	---
Vermont	4	1	13,000
Virginia	9	1	38,500
Washington	25	1	40,000
West Virginia	3	-	---
Wisconsin	8	1	38,000
Wyoming	2	1	38,000
TOTALS	570	49	$1,800,000

III. THE REVIEWERS

THE REVIEW PROCESS

The application deadline for the Ethnic Heritage Studies program, 1976-77, was December 8, 1975. After initial screening by Office of Education staff members, eight consultant panels were convened on January 12 to 16 to evaluate the proposals. The panelists represented expertise and experience in ethnicity, curriculum development, training, dissemination, and community activities. It was their task to evaluate each application according to approximately 20 different criteria and, on the basis of the evaluation, to recommend projects for funding. Each panel drew up a slate of projects recommended for support as well as suggestions for appropriate alterations in project plan or scope, to be used by the Office of Education in the final selection of proposals for funding. On July 2, 1976, the Commissioner of Education announced the proposals to be funded.

REVIEWERS, WITH PROFESSIONAL TITLES AND ADDRESSES

Elizabeth Hunt Alston
Coordinator, Ethnic Studies,
Charleston County LEA
Charleston, South Carolina 29401

Elizabeth Bouey-Yates
Director, NEA/AID Overseas Educational
Assistance
National Education Association
1201 16th Street, N.W.
Washington, D.C. 20036

Elena Bradunas
Graduate Student, Folklore Institute
Indiana University
327 South Fess
Bloomington, Indiana 47401

William W. Brickman
Professor of Educational History
and Comparative Education
University of Pennsylvania
15 Jade Lane
Cherry Hill, New Jersey 08002

Elizabeth Bullard
Director, Educational Resources
The Asia Society
112 E. 64th Street
New York, New York 10021

William K. Carr
Anthropologist
6208 30th Street
Washington, D.C. 20015

Raymond G. Ceniceroz
Director, East Los Angeles Community
Center
131 North Sunoi Drive
Los Angeles, California 90027

Beatrice Clark-Jones
Supervisor, Audio Visual Services
Richmond Public Schools
301 North 9th Street
Richmond, Virginia 23219

Bonny M. Cochran
Instructional Materials Development
Specialist
Montgomery County Public Schools
14501 Avery Road
Rockville, Maryland 20853

H. Thomas Collins
Senior Associate, Center for War/
Peace Studies
218 East 18th Street
New York City, New York 10003

John R. Correiro
Director, Assessment and Dissemination
Center
Fall River Public Schools
889 High Street
Fall River, Massachusetts 02720

Charles F. Diaz
Bilingual Program Coordinator
Carver Middle School
301 S.W. 14th Street
Delray Beach, Florida

Todd Endo
Assistant to the Superintendent
Arlington Public Schools
1426 N. Quincy Street
Arlington, Virginia 22207

Joseph Felicijan
Ethnic Community Historian
Landmarks Commission
City Hall, Room 28
Lakeside Avenue
Cleveland, Ohio 44114

Y. T. Feng
Assistant Director
Boston Public Library
Boston, Massachusetts 02117

Henry Ferguson
President
Intercultural Associates
Box 277
Thompson, Connecticut 06277

Sister Anna H. Fritzmann
Saint Paul Convent
214 Nassau Street
Princeton, New Jersey 08540

A. Bruce Gaarder
U.S. Office of Education
7th and D Streets, S.W.
Washington, D.C. 20202

Richard R. Goulet
Program Manager for Evaluation
National Science Foundation
1800 G Street, N.W.
Washington, D.C. 20550

Dana Greene
Division of International Education
U.S. Office of Education
7th and D Streets, S.W.
Washington, D.C. 20202

William M. Hering, Jr.
Director, Social Science Curriculum
Biomedical Interdisciplinary Project
1947 Center Street
Berkeley, California 94704

Shirley Hune
Smithsonian Institution Fellow
Research Institute of Immigration
and Ethnic Studies
23 Parkside Road
Silver Spring, Maryland 20910

Florence Jackson
Director, Bureau of Social Studies
New York City Board of Education
110 Livingston Street
Brooklyn, New York 11201

Jaipaul
Director, Ethnic Heritage Affairs
Institute
260 South 15th Street
Philadelphia, Pennsylvania 19102

John Jarolimek
Professor of Education
College of Education
University of Washington
Seattle, Washington 98195

Ella M. Kelly
National Institute of Education
1200 19th Street, N.W.
Washington, D.C. 20036

Angela J. Khoury
Associate Professor of Government
George Mason University
Fairfax, Virginia 22030

Allan M. Kulakow
President, Kulakow Associates, Inc.
8816 Hidden Hill Lane
Potomac, Maryland 20854

Sabatore J. La Gumina
Professor of History
32 Fairview Road, West
Massapequa, New York 11758

John L. Landgraf
Consultant
2423 Eye Street, N.W.
Washington, D.C. 20037

Florence Masters
Head, Department of Foreign Languages
Kirkwood Community College
6301 Kirkwood Blvd., S.W.
Cedar Rapids, Iowa 52406

Charles Mojkowski
Coordinator, Office of Support Services
Rhode Island Department of Education
22 Hayes Street
Providence, Rhode Island 02908

Harry Orenstein
Education Program Specialist
Office of Indian Education
ROB #3, Room 3662
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Gabe Paxton
Acting Deputy Commissioner for Indian Education
U.S. Office of Education
7th and D Streets, S.W.
Washington, D.C. 20202

Bernadine Pietraszek
Associate Professor of History
De Paul University
2323 North Seminary
Chicago, Illinois 60614

Marilyn J. Prasinois
Attorney
Autumn Land
Lincoln, Massachusetts 01773

Robert C. Provine, Jr.
Graduate/Teacher
70 Lexington Avenue
Cambridge, Massachusetts 02138

Charles Rivera, Director
Research and Program Development
Lulac Nat'l Education Service Centers
First and D Streets, N.W.
Washington, D.C. 20001

Vladimir J. Rus
Director, Department of Human Resources and Economic Development
City of Cleveland
Cleveland, Ohio 44114

Herschel Sahmaunt
Executive Director
CICSB, Inc.
811 Lincoln
Denver, Colorado 80203

Sandra P. Schoenberg
Assistant Professor, Sociology
Washington University
St. Louis, Missouri 63130

George Spiceley
Office of Black Concerns
U.S. Office of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Lowell Edwin Stalcup
Social Studies Teacher
Secondary Level Principal
Route 1
Butler, Tennessee 37640

J. J. Sustar
Executive Vice President
American Ethnic Foundation
1111 National Press Building
Washin[illegible], D.C. 20045

Lorand B. Szalay
Director, Center for Comparative Psycho-Cultural Studies
American Institute for Research
3301 New Mexico Avenue, N.W.
Washington, D.C. 20016

Elba P. Trillas
Bilingual Curriculum Specialist (Social Studies)
Bilingual Resource Center
110 Livingston Street
Brooklyn, New York 11201

Leonard A. Valverde
Assistant Professor
Department of Educational Administration
University of Texas at Austin
Austin, Texas 78712

Michael E. Williams
Appaloft - TV Project Coordinator
Crasses Branch
Letcher, Kentucky 41832

Jane Wilson
Operations Office and Administrative
Assistant
The Management Group, Inc.
Suite 405 E
6400 Upton Blvd., N.E.
Albuquerque, New Mexico 87110

NUMBER OF REVIEWERS FROM EACH ETHNIC GROUP

Afro-American	6	Irish American	1
Anglo-American	3	Italian American	1
Appalachian American	1	Japanese American	1
Canadian-Jewish American	1	Jewish American	2
Chinese American	2	Lebanese American	1
Cuban American	1	Lithuanian American	1
Czech American	3	Mexican American	2
East Indian American	1	Moravian American	1
Franco American	1	Native American	3
French-Scottish American	1	Norwegian American	1
German American	4	Polish American	2
German-Swiss-Irish American	1	Portuguese American	1
Greek American	1	Puerto Rican American	2
Hungarian American	1	Scottish American	1
		Slovenian American	2

Total Number of Readers - 49

Total Number of Ethnic Groups Represented - 29

95-243 O - 77 - 36

LIST OF FISCAL YEAR 1974 GRANTEES BY STATE, WITH PROJECT TITLE

ALABAMA

Alabama Center for Higher Education $30,000
2121 8th Avenue North, Suite 1520
Birmingham, Alabama 35203

"Black Studies Research and Demonstration Project"

ALASKA

Alaska State-Operated Schools $60,000
650 International Airport Road
Anchorage, Alaska 99502

"Ethnic Studies Materials for Alaskan Native Children and Teachers of Indian Children"

CALIFORNIA

Bakersfield College $70,000
1801 Panorama Drive
Bakersfield, California 93305

"Project MECHICA: Materials Development in Chicano Studies"

California State Department of Education $70,000
Bureau of Intergroup Relations
721 Capitol Hall, Room 634
Sacramento, California 95814

"California Ethnic Heritage Program"

Japanese American Citizens League $60,000
22 Peace Plaza, Suite 203
San Francisco, California 94115

"Contributions of Japanese Americans to American Life: Curriculum Development Program"

COLORADO

Social Science Education Consortium, Inc. $45,000
855 Broadway
Boulder, Colorado 80302

"Analysis and Dissemination of Ethnic Heritage Studies Curriculum Materials"

CONNECTICUT

University of Connecticut $100,000
Department of Sociology
Storrs, Connecticut .06268

"Intergroup Relations and Ethnicity: The Peoples of Connecticut"

DISTRICT OF COLUMBIA

Frederick Douglass Museum of African Art $60,000
316-318 A Street, N.E.
Washington, D.C. 20002

"Ethnic Heritage Studies Program With an Emphasis on Afro-Americans"

National Education Association Total with NJEA $90,000
Civil and Human Rights
Washington, D.C. 20036

Jointly with: New Jersey Education Association

"The NEA/NJEA Multi-Ethnic/Racial Curriculum Development Program"

FLORIDA

Florida State University $40,000
Science and Human Affairs Division
302 Education Building
Tallahassee, Florida 32306

"A Project in Multi-Cultural Learning: Greek American Contributions to the American Society"

HAWAII

University of Hawaii $55,000
College of Education
Department of Educational Foundations
1776 University Avenue
Honolulu, Hawaii 96821

"Ethnic Resources Center for the Pacific"

ILLINOIS

Illinois State Department of Education Total with University
Superintendent of Education of Illinois $170,000
188 West Randolph Street
Chicago, Illinois 60601

Jointly with:

University of Illinois at Chicago Circle
P. O. Box 4348, Room 3030-ECB
Chicago, Illinois 60680

"Illinois/Chicago Project for Inter-Ethnic Dimensions in Education"

Southern Illinois University at Carbondale $19,000
Carbondale, Illinois 62901

"Drama & Theater of Baltic-American Youth"

INDIANA

Indiana University Foundation $40,000
University at South Bend
P. O. Box F
Bloomington, Indiana 47401

"Ethnic Heritage Study Program"

IOWA

Kirkwood Community College $25,000
Arts and Science Division
6301 Kirkwood Boulevard, S.W.
Cedar Rapids, Iowa 52406

"General Ethnic Heritage and Specific Czech Heritage Curriculum Model Development"

MASSACHUSETTS

Boston Children's Museum $40,000
Jamaicaway
Boston, Massachusetts 02130

"Ethnic Discovery Project"

Brandeis University $80,000
Philip W. Lown Graduate Center
for Contemporary Jewish Studies
Waltham, Massachusetts 02154

"Center for Contemporary Jewish Studies Program for Jewish Ethnic Heritage Studies"

Harvard University $45,000
Fellows of Harvard College
Harvard University Press
1350 Massachusetts Avenue
Cambridge, Massachusetts 02138

"Harvard Ethnic Encyclopedia: Stage I"

MICHIGAN

Michigan Southeast Regional Ethnic Heritage Studies Center $170,000
163 Madison Avenue
Detroit, Michigan 48226

"Ethnic Heritage Studies Program in Southeastern Michigan"

MINNESOTA

Gustavus Adolphus College $25,000
Scandinavian Studies
St. Peter, Minnesota 56082

"Expanded Program in Scandinavian Studies"

MINNESOTA

Mankato State College $60,000
Minorities Groups Studies Center
Mankato, Minnesota 56001

"A Model Program in Multi-Ethnic Heritage Studies"

MISSOURI

Washington University $50,000
Lindell & Skinker Boulevards
St. Louis, Missouri 06130

"Ethnic Heritage Studies in Urban Neighborhoods"

NEW JERSEY

New Jersey Education Association Total with NEA $90,000
Instruction Division
Trenton, New Jersey 08608

Jointly with: National Education Association

"NEA/NJEA Multi-Ethnic/Racial Curriculum Development Program"

Rutgers University $60,000
State University of New Jersey
10 Seminary Place
New Brunswick, New Jersey 08903

"The Institute of Ethnic and Intercultural Education"

NEW MEXICO

Cuba Independent Schools $11,000
P. O. Box 68
Cuba, New Mexico 87013

"Cuba Schools Ethnic Heritage Project"

NEW YORK

Anti-Defamation League of B'nai B'rith $65,000
Program Division
315 Lexington Avenue
New York, New York 10016

"Task Force to Define Cultural Pluralism to Develop and Test Strategies for Its Effective Teaching"

City University of New York $60,000
CUNY Research Foundation
Convent Avenue at 138th Street
New York, New York 10031

"Curriculum Development Program in Comparative Ethnicity"

New York State Education Department $70,000
Bureau of Social Studies Education
Washington Avenue
Albany, New York 12224

"Italo-American Curriculum Studies"

Buffalo City Schools System Total with University
712 City Hall College at Buffalo $75,000
Buffalo, New York 14202

Jointly with:

New York State University
College at Buffalo-Research and Development Complex
1300 Elmwood Avenue
Buffalo, New York 14222

"Ethnic Heritage Curriculum Development Project"

OHIO

Cleveland Public Schools $170,000
1380 East Sixth Street
Cleveland, Ohio 44114

"The Ethnic Heritage Studies Development Program"

OREGON

Portland Center for Urban Education $45,000
0245 S. W. Bancroft Street
Portland, Oregon 97201

"Increasing the Understanding of Multi-Ethnic Heritage"

PENNSYLVANIA

Duquesne University $65,000
Tamburitzans Institute of Folk Art
1801 Boulevard of the Allies
Pittsburgh, Pennsylvania 15219

"Development of Ethnic Heritage Studies Kit"

King's College Total with University
133 North River Street of Scranton $60,000
Wilkes-Barre, Pennsylvania 18711

Jointly with:

University of Scranton
Ethnic Studies Program
Scranton, Pennsylvania 18510

"The Study of Ethnic Minorities in Northeastern Pennsylvania:
Lackawanna County: University of Scranton/Luzerne County: King's College"

RHODE ISLAND

Rhode Island Department of Education $50,000
199 Promenade Street
Providence, Rhode Island 02908

"The Ethnic Heritage Studies Program of Rhode Island"

SOUTH CAROLINA

Charleston County School District $30,000
Division of Instruction
3 Chisholm Street
Charleston, South Carolina 29401

"The Ethnic History of South Carolina Program"

SOUTH DAKOTA

South Dakota Department of Education and Cultural Affairs $45,000
State Capitol Building
Pierre, South Dakota 57501

"Indian Ethnic Heritage Curriculum Development Project"

TEXAS

Southwest Educational Development Laboratory $50,000
211 East Seventh Street
Austin, Texas 78701

"Ethnic Heritage Studies Program: Czechs, Poles, and Germans in Texas"

VIRGINIA

Dilenowisco Educational Cooperative $50,000
Wise County School Board
Media Services
1032 Virginia Avenue
Norton, Virginia 24273

"Ethnic Heritage Studies Program for Five School Divisions in Appalachia"

WISCONSIN

State Historical Society of Wisconsin $45,000
816 State Street
Madison, Wisconsin 53706

"Ethnic Heritage Studies: Old World Wisconsin and Ethnic America"

LIST OF FISCAL YEAR 1975 GRANTEES BY STATE, WITH PROJECT TITLE

CALIFORNIA

Chinese Culture Center $40,000
750 Kearny Street
San Francisco, California 94108

Project Director: Shirley Sun

"Chinese American Heritage Studies Program"

*East Los Angeles College Foundation $12,000
5357 E. Brooklyn Avenue
Los Angeles, California 90022

Project Director: Armando Rodriguez

"East Los Angeles Multicultural Oral History Program"

Palos Verdes High School $25,000
600 Cloyden Road
Palos Verdes Estates, California 90274

Project Director: James F. Dimitriou

"A Curriculum Development Program in Suburban Ethnicity: A Case Study of the Greek American Experience in Southern California"

University of California $39,000
Center for the Study of Comparative Folklore and Mythology
405 Hilgard Avenue
Los Angeles, California 90024

Project Director: Robert A. Georges

"The Traditional Arts and Oral History of Chicanos of Greater Los Angeles"

*In cooperation with Administration on Aging (HEW), Amount $8,000

COLORADO

University of Denver $38,000
Center for Teaching International Relations
University Park
Denver, Colorado 80210

Project Director: Andrew F. Smith

"Continuing Ethnic Heritage: A Curriculum Project on the Trans-National Linkage of American Ethnic Groups"

CONNECTICUT

Hartford Public Schools $33,000
249 High Street
Hartford, Connecticut 06103

Project Director: Henry Luccock

"Our Roots - Ethnic Heritage Studies Project"

DELAWARE

Historical Society of Delaware $40,000
Library
505 Market Street
Wilmington, Delaware 19801

Project Director: Ross McGuire

"Ethnic Delaware and Willingtown Village"

DISTRICT OF COLUMBIA

American Association of Colleges for Teacher Education $45,000
One Dupont Circle, N.W., Suite 610
Washington, D. C. 20036

Project Directors: Frank Klassen and Joost Yff

"Dissemination of Ethnic Heritage Studies in American Teacher Education"

El Congreso Nacional de Asuntos Colegiales (CONAC) $40,000
One Dupont Circle, N.W.
Suite 410
Washington, D. C. 20036

Project Director: Pepe Barron

"Intercultural Bilingual Curriculum Plan for Chicano Ethnic Studies at Community and Junior Colleges"

National Center for Urban Ethnic Affairs $49,000
4408 8th Street, N.E.
Washington, D. C. 20017

Project Director: Edward Plocha

"Dissemination of Critically Selected Ethnic Heritage Curriculum Materials"

National Council for Social Studies $44,000
1201 16th Street, N.W.
Washington, D. C. 20036

Project Director: Brian J. Larkin

"Ethnic Studies Curriculum Guidelines"

National Education Association $50,000
Civil and Human Rights
Washington, D. C. 20036

Project Director: Samuel Ethridge

"Task Force on Assessment of Ethnic Heritage Studies Program"

GEORGIA

Atlanta Public Schools $37,000
224 Central Avenue, SW
Atlanta, Georgia 30303

Project Director: Sidney Estes

"Staff Development and Resources for Ethnic Heritage Studies"

HAWAII

Institute of Behavioral Sciences $30,000
250 Ward Avenue, Suite 226
Honolulu, Hawaii 96814

Project Director: Kenneth O. Sanborn

"Intercultural Training Workshop"

IDAHO

Idaho State University $37,000
Pocatello, Idaho 83209

Project Director: Bori Lynn Gilliard

"Multicultural Ethnic Studies: An Inservice Program"

ILLINOIS

Selfreliance $45,000
2351 W. Chicago Avenue
Chicago, Illinois 60622

Project Director: Don Warren

"Chicago Consortium for Inter-Ethnic Curriculum Development"

IOWA

Burlington Community Schools $39,000
1429 West Avenue
Burlington, Iowa 52601

Project Director: Larry Meyers

"A Prototype of a Multi-Ethnic/Cultural Curriculum"

KANSAS

Mid America All Indian Center $45,000
1650 East Central
Wichita, Kansas 67214

Project Director: Frederick Schmid

"Heritage of the Plains Indians"

LOUISIANA

Louisiana State Department of Education $42,000
Community Services
P.O. Box 44064, Capitol Station
Baton Rouge, Louisiana 70804

Project Director: Sandra Gunner

"Louisiana Ethnic Studies Program: La Culture Acadienne En Louisiana. White Acadians, Black Creoles, and Latinos"

MARYLAND

Neighborhoods Uniting Project, Inc. $30,000
3706 Rhode Island Avenue
Mt. Rainier, Maryland 20822

Project Director: Michael Krolewski

"The University-Ethnic Community Project"

MASSACHUSETTS

Armenian Relief Society $38,000
212 Stuart Street
Boston, Massachusetts 02116

Project Director: Robert Mirak

"Armenian Ethnic Heritage Program"

* Assumption College $20,000
Undergraduate Schools
500 Salisbury Street
Worcester, Massachusetts 01609

Project Director: Claire Quintal

"Contributions of the French to America: Dissemination of Materials"

Curry College $35,000
Division of Language and Literature
1071 Blue Hill Avenue
Milton, Massachusetts 02186

Project Director: Robert Jesse Forbes

"Curriculum Development in Cuban-Puerto Rican Heritages"

MICHIGAN

South East Michigan Regional Ethnic Heritage Studies Center $38,000
71 E. Ferry
Detroit, Michigan 48202

Project Director: Winifred DeWitt

"Ethnic Curriculum Development Project"

MINNESOTA

Minneapolis Public Schools $38,000
Task Force on Ethnic Studies
807 N.E. Broadway
Minneapolis, Minnesota 55105

Project Director: Christian K. Skjervold

"Minneapolis Multi-Ethnic Curriculum Project"

*In cooperation with Administration on Aging (HEW), Amount $6,700

MONTANA

College of Great Falls $26,000
Department of Education
1301 20th Street, South
Great Falls, Montana 59405

Project Director: Harold Anderson

"Ethnic Heritage Studies Program: Television Program on Culture and Tradition of Montana Indians"

NEBRASKA

University of Nebraska 31,000
Arts Department
3835 Holdrege Street
Lincoln, Nebraska 68503

Project Director: William Wallis

"Ethnic Art Studies of Native Americans (Sioux) in Nebraska"

NEVADA

University of Nevada at Reno $35,000
Research and Educational Planning Center
Reno, Nevada 89507

Project Director: Evalyn Dearmin

"Paiute and American Indian Understanding Through Teacher Training and Education"

NEW JERSEY

National Conference of Christians and Jews $41,000
790 Broad Street
Newark, New Jersey 07102

Project Director: Jacento Marrero

"Community Action for Cultural Pluralism"

Rutgers University $41,000
Graduate School of Education
10 Seminary Place
New Brunswick, New Jersey 08903

Project Director: E. C. Condon-Dauby

"Community Action for Cultural Pluralism"

NEW MEXICO

Menaul School $30,000
301 Menaul Blvd., NE
Albuquerque, New Mexico 87107

Project Director: Edmundo E. Vasquez

"Menaul School Ethnic Heritage Program"

NEW YORK

American Field Service International $40,000
Domestic Programs
313 East 43rd Street
New York, New York 10017

Project Director: Nancy Kelly

"Domestic Ethnic Exchange and Curriculum Development"

Estonian Learned Society $35,000
Estonian House
243 East 34th Street
New York, New York 10016

Project Director: Tonu Parming

"The Estonian American Ethnic Heritage Studies Program"

Freeport Public Schools $35,000
235 N. Ocean Avenue
P. O. Box 50
Freeport, New York 11520

Project Director: Alonzo H. Shockley, Jr.

"STRIDE: Specific Teaching Resources for the Introduction and Development of Ethnic Studies"

95-243 O - 77 - 37

The Research Foundation of SUNY $35,000
New York State Migrant Center
P. O. Box 7126
Albany, New York 14454

Project Director: Gloria Mattera

"Migrant Heritage Studies Project"

NORTH CAROLINA

Appalachian State University $43,000
College of Learning and Human Development
Boone, North Carolina 28608

Project Director: David Mielke

"Appalachian Culture Ethnic Heritage"

Madison County Board of Education $39,000
Marshall, North Carolina 28753

Project Director: John Hough

"An Appalachian Ethnic Heritage Studies Program"

OHIO

Metro Ministry $38,000
22 East Grand Avenue
Springfield, Ohio 45506

Project Director: Ida Williams

"Springfield Program in Cultural Enrichment"

OREGON

Center for Urban Education $24,000
245 S.W. Bancroft
Portland, Oregon 97201

Project Director: Kent Layden

"Project BUILD: Building Useful Involvement for Local Dissemination"

PENNSYLVANIA

Bloomsburg State College $38,000
Main and Penn Streets
Bloomsburg, Pennsylvania 17815

Project Director: David E. Washburn

"The Pennsylvania Ethnic Heritage Studies Dissemination Project"

King's College $28,000
133 North River Street
Wilkes-Barre, Pennsylvania 18711

Project Director: Clement Valletta

"Heritage of Learning Project"

RHODE ISLAND

Rhode Island College $41,000
600 Mt. Pleasant Avenue
Providence, Rhode Island 02908

Project Director: George Kellner

"Ethnic Heritage Studies Project"

TEXAS

Crystal City Independent School District $40,000
805 East Crockett
Crystal City, Texas 78839

Project Director: Manuel Alonzo

"Ethnic Heritage Studies Program"

Dallas Independent School District $40,000
Multi Ethnic Education Program
3700 Ross Avenue
Dallas, Texas 75204

Project Director: William Marks

"Multi Ethnic Heritage Dissemination Project"

UTAH

University of Utah $38,000
School of Social Work
Social Work Building
Salt Lake City, Utah 84112

Project Director: E. Daniel Edwards

"Understanding Native Americans: Their Heritage, Skills, Contributions and Future"

VIRGINIA

Arlington Public Schools $43,000
1426 North Quincy Street
Arlington, Virginia 22207

Project Director: Joshua Taylor, Jr.

"Multi Ethnic Staff Training Model Project"

WASHINGTON

Washington State University $30,000
Black Studies Program
Pullman, Washington 99163

Project Director: Talmadge Anderson

"Pacific Northwest Black Studies Summer Workshop"

WEST VIRGINIA

West Virginia State College $45,000
Department of Teacher Education
Institute, West Virginia 25112

Project Director: Martin H. Crowe

"Multi-Ethnic Heritage: West Virginia"

WISCONSIN

University of Wisconsin $35,000
1725 State Street
La Crosse, Wisconsin 54601

Project Director: George E. Carter

"Institute for Minority Studies Training Project in Ethnic and Racial Minority Studies"

APPENDIX 4

Public Law 93-380

Title I . . .

Title IV

Sec. 401 . . .

CONSOLIDATION OF CERTAIN FEDERALLY OPERATED EDUCATION PROGRAMS

SEC. 402. (a) (1) The Act of July 26, 1954 (Public Law 531, Eighty-third Congress) is amended by striking out all after the enacting clause and inserting in lieu thereof the following: "That this Act may be cited as the 'Special Projects Act'.

20 USC 1851 note.
68 Stat. 533; 79 Stat. 44.
20 USC 331 note.
Special Projects Act.
20 USC 1851.

"PURPOSE

"SEC. 2. It is the purpose of this Act to authorize the Commissioner of Education (hereinafter referred to as the 'Commissioner') to carry out special projects—

"(1) to experiment with new educational and administrative methods, techniques, and practices;

"(2) to meet special or unique educational needs or problems; and

"(3) to place special emphasis on national education priorities.

"CONTRACTING AUTHORITY

"SEC. 3. (a) The Commissioner is authorized, during the period beginning July 1, 1975, and ending June 30, 1978, to make contracts with public and private agencies, organizations, associations, institutions, and with individuals in order to carry out the purposes of this Act as set forth in section 2.

20 USC 1852.

88 STAT. 545

"(b) In exercising his authority under this section, the Commissioner shall comply with such priorities and preferences as may be expressly provided by law, with respect to this section.

"APPROPRIATIONS

20 USC 1553.

"SEC. 4. (a)(1) In order to enable the Commissioner to make contracts under section 3, there is authorized, subject to subsection (b), to be appropriated to the Office of Education $200,000,000 for the fiscal year ending June 30, 1976, and each of the two succeeding fiscal years.

"(2) Sums appropriated pursuant to paragraph (1) shall, notwithstanding any other provisions of law, unless enacted in express limitation of this paragraph, remain available until expended.

Expenditure plan and report, submittal to congressional committees.
20 USC 1551.

"(b)(1) Not later than February 1 of each year, the Commissioner shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Public Welfare of the Senate a plan in accordance with which the Commissioner has determined to expend funds to be appropriated for the succeeding fiscal year. Such plan shall be accompanied by a report describing each contract made during the calendar year preceding that fiscal year under the authority of this Act involving an expenditure in excess of $100,000.

"(2)(A) The funds appropriated pursuant to subsection (a) for any fiscal year shall be expended in accordance with the plan submitted for that year pursuant to paragraph (1), unless prior to sixty days after the submission of such plan, either the Committee on Education and Labor of the House of Representatives or the Committee on Labor and Public Welfare of the Senate adopts a resolution disapproving such plan.

"(B) If either or both such committees adopts a resolution of disapproval as provided in subparagraph (A), the Commissioner shall, not later than fifteen days after the adoption of any such resolution, submit a new plan in accordance with paragraph (1) and subparagraph (A).".

68 Stat. 533.

(2) The title of such Act of July 24, 1954, is amended to read as follows: "An Act to authorize special projects, surveys, and studies by the Office of Education.".

20 USC 1861.

(b)(1) In carrying out his functions under section 3 of the Special Projects Act, the Commissioner shall reserve not less than 50 per centum of the sums appropriated pursuant to section 4 of such Act for the purposes given preference under paragraph (3) of this subsection and apportioned in accordance with paragraph (2) of this subsection. With respect to the funds to which this paragraph applies, the Commissioner's authority under such section 3 shall include authority to make grants as well as contracts.

Apportionment of funds.
Post, p. 554.

(2) Except as is otherwise provided with respect to section 409, the Commissioner shall apportion an amount for each of the purposes set forth in paragraph (3) which bears the same ratio to the sums reserved pursuant to paragraph (1) as the amount permitted to be expended for each such purpose bears to the aggregate of the amounts permitted to be expended for all such purposes.

Reserved funds.

(3) The sums reserved pursuant to paragraph (1) shall be expended for programs otherwise authorized by an applicable statute and described in the following subparagraphs:

Education for the Use of the Metric System of Measurement

(A) A program to encourage educational agencies and institutions to prepare students to use the metric system of measurement, as provided in section 403.

Gifted and Talented Children

(B) A program for the education of gifted and talented children through grants to the States for such purpose, as provided in section 404 (except subsection (f) thereof). Post, p. 547.

Community Schools

(C) A program of grants to local educational agencies to assist them in planning, establishing, expanding, and operating community education programs, as provided in section 405.

Career Education

(D) A program to assess, and to encourage establishment and operation of, career education programs, as provided in section 406.

Consumers' Education

(E) A program of grants and contracts designed to provide consumer education to the public, as provided in section 811 of the Elementary and Secondary Education Act of 1965. Post, p. 553.

Women's Equity in Education

(F) A program of grants and contracts designed to provide educational equity for women in the United States, as provided in section 408. Post, p. 554.

Arts in Education Programs

(G) A program of grants and contracts designed to assist and encourage the use of the arts in elementary and secondary school programs as provided in section 409.

(4) No appropriation may be made for any fiscal year for the purposes of section 811 of the Elementary and Secondary Education Act of 1965 or sections 403, 404, 405, 406, 408, and 409 of this Act during which funds are available for the purposes of such sections under the provisions of this subsection.

(c)(1) The amendments made by subsection (a) and the provisions of subsection (b) shall be effective on and after July 1, 1975. 20 USC 1851 note.

(2) Effective July 1, 1975, title III of the Elementary and Secondary Education Act of 1965 is amended— 20 USC 844a note.

(i) by striking out section 305(d); 84 Stat. 135.

(ii) by striking out section 306; and 20 USC 844a.

(iii) by striking out section 307(c). 20 USC 844b.

(3) Effective July 1, 1975, section 809 of the Elementary and Secondary Education Act of 1965, is repealed. 20 USC 845. Repeal. 84 Stat. 154.

EDUCATION FOR THE USE OF THE METRIC SYSTEM OF MEASUREMENT 20 USC 887b an note.

SEC. 403. (a)(1) The Congress finds that— 20 USC 1962.

(A) the metric system of measurement is in general use in industrially developed nations and its use is increasing;

(B) increased use of such metric system in the United States is inevitable, and such a metric system will become the dominant system of weights and measures in the United States; and

(C) there is no existing Federal program designed to teach children to use such metric system and such a program is necessary if the American people are to adapt to the use of the metric system of weights and measures.

(2) It is the policy of the United States to encourage educational agencies and institutions to prepare students to use the metric system of measurement with ease and facility as a part of the regular education program.

"Metric system of measurement."

(3) For the purposes of this section, the term "metric system of measurement" means the International System of Units as established by the General Conference of Weights and Measures in 1960 and interpreted or modified for the United States by the Secretary of Commerce.

Grants and contracts.

(b)(1) The Commissioner shall carry out a program of grants and contracts in order to encourage educational agencies and institutions to prepare students to use the metric system of measurement.

(2) The Commissioner is authorized to make grants to, and contracts with, institutions of higher education, State and local educational agencies, and other public and private nonprofit agencies, organizations, and institutions to develop and carry out the policy set forth in subsection (a).

Financial assistance, application.

(c)(1) Financial assistance under this section may be made available only upon application to the Commissioner. Any such application shall be submitted at such time, in such form, and containing such information as the Commissioner shall prescribe by regulation and shall be approved only if it—

(A) provides that the activities and services for which assistance is sought will be administered by, or under the supervision of, the applicant;

(B) describes a program which holds promise of making a substantial contribution toward attaining the purposes of this section;

(C) sets forth such policies and procedures as will insure adequate evaluation of the activities intended to be carried out under the application; and

(D) contains such other provisions as the Commissioner determines necessary in order to accomplish the purposes of this title.

Approval.

(2) An application from a local educational agency under this section may be approved only if the State educational agency of the State in which such local agency is located has been notified of the application and has been given a reasonable opportunity to offer recommendations with respect to the approval thereof.

Appropriation.

(d) For the purpose of carrying out this section, the Commissioner is authorized to expend $10,000,000 for each of the fiscal years ending prior to July 1, 1978.

GIFTED AND TALENTED CHILDREN

20 USC 1863.

SEC. 404. (a) The Commissioner shall designate an administrative unit within the Office of Education to administer the programs and projects authorized by this section and to coordinate all programs for gifted and talented children and youth administered by the Office.

Information clearinghouse.

(b) The Commissioner shall establish or designate a clearinghouse to obtain and disseminate to the public information pertaining to the education of gifted and talented children and youth. The Commissioner is authorized to contract with public or private agencies or organizations to establish and operate the clearinghouse.

Grants.

(c)(1) The Commissioner shall make grants to State educational agencies and local educational agencies, in accordance with the provisions of this subsection, in order to assist them in the planning, development, operation, and improvement of programs and projects designed to meet the special educational needs of gifted and talented children at the preschool and elementary and secondary school levels.

(2)(A) Any State educational agency or local educational agency desiring to receive a grant under this subsection shall submit an application to the Commissioner at such time, in such manner, and containing such information as the Commissioner determines to be necessary to carry out his functions under this section. Such application shall— Applications.

(i) provide satisfactory assurance that funds paid to the applicant will be expended solely to plan, establish, and operate programs and projects which—

(I) are designed to identify and to meet the special educational and related needs of gifted and talented children, and

(II) are of sufficient size, scope, and quality as to hold reasonable promise of making substantial progress toward meeting those needs;

(ii) set forth such policies and procedures as are necessary for acquiring and disseminating information derived from educational research, demonstration and pilot projects, new educational practices and techniques, and the evaluation of the effectiveness of the program or project in achieving its purpose; and

(iii) provide satisfactory assurance that, to the extent consistent with the number of gifted and talented children in the area to be served by the applicant who are enrolled in nonpublic elementary and secondary schools, provision will be made for the participation of such children.

(B) The Commissioner shall not approve an application under this subsection from a local educational agency unless such application has been submitted to the State educational agency of the State in which the applicant is located and such State agency has had an opportunity to make recommendations with respect to approval thereof.

(3) Funds available under an application under this subsection may be used for the acquisition of instructional equipment to the extent such equipment is necessary to enhance the quality or the effectiveness of the program or project for which application is made.

(4) A State educational agency receiving assistance may carry out its functions under an approved application under this subsection directly or through local educational agencies.

(d) The Commissioner is authorized to make grants to State educational agencies to assist them in establishing and maintaining, directly or through grants to institutions of higher education, a program for training personnel engaged or preparing to engage in educating gifted and talented children or as supervisors of such personnel. Personnel training grants.

(e) The Commissioner is authorized to make grants to institutions of higher education and other appropriate nonprofit institutions or agencies to provide training to leadership personnel for the education of gifted and talented children and youth. Such leadership personnel may include, but are not limited to, teacher trainers, school administrators, supervisors, researchers, and State consultants. Grants under this subsection may be used for internships, with local, State, or Federal agencies or other public or private agencies or institutions.

(f) Notwithstanding the second sentence of section 405(b)(1) of the General Education Provisions Act, the National Institute of Education shall, in accordance with the terms and conditions of section 405 of such Act, carry out a program of research and related activities relating to the education of gifted and talented children. The Commissioner is authorized to transfer to the National Institute of Education such sums as may be necessary for the program required by this subsection. As used in the preceding sentence the term "research and related Research program. 88 Stat. 326. 20 USC 1221e. Transfer of funds. Definition.

activities" means research, research training, surveys, or demonstrations in the field of education of gifted and talented children and youth, or the dissemination of information derived therefrom, or all of such activities, including (but without limitation) experimental and model schools.

Model projects, contracts.

(g) In addition to the other authority of the Commissioner under this section, the Commissioner is authorized to make contracts with public and private agencies and organizations for the establishment and operation of model projects for the identification and education of gifted and talented children, including such activities as career education, bilingual education, and programs of education for handicapped children and for educationally disadvantaged children. The total of the amounts expended for projects authorized under this subsection shall not exceed 15 per centum of the total of the amounts expended under this section for any fiscal year.

Appropriation.

(h) For the purpose of carrying out the provisions of this section, the Commissioner is authorized to expend not to exceed $12,250,000 for each fiscal year ending prior to July 1, 1978.

COMMUNITY SCHOOLS

Community Schools Act.
20 USC 1864.

SEC. 405. (a) This section may be cited as the "Community Schools Act".

(b) In recognition of the fact that the school, as the prime educational institution of the community, is most effective when the school involves the people of that community in a program designed to fulfill their education needs, and that community education promotes a more efficient use of public education facilities through an extension of school buildings and equipment, it is the purpose of this section to provide educational, recreational, cultural, and other related community services, in accordance with the needs, interests, and concerns of the community, through the establishment of the community education program as a center for such activities in cooperation with other community groups.

"Community education program."
Ante, p. 544.

(c) For purposes of this section and subparagraph (C) of section 402(b)(3), a "community education program" is a program in which a public building, including but not limited to a public elementary or secondary school or a community or junior college, is used as a community center operated in conjunction with other groups in the community, community organizations, and local governmental agencies, to provide educational, recreational, cultural, and other related community services for the community that center serves in accordance with the needs, interests, and concerns of that community. Nothing in this section shall be construed to prohibit any applicant under this section from carrying out any activity with funds derived from other sources.

Grants.

(d)(1) In order to carry out the purposes and provisions of this section, the Commissioner is authorized to make grants to State educational agencies and to local educational agencies to pay the Federal share of the cost of planning, establishing, expanding, and operating community education programs.

(2) Fifty percent of the funds made available pursuant to clause (1) of subsection (i) shall be available for grants to State educational agencies. The remainder of such funds shall be available for grants to local educational agencies.

Federal share.

(3) For the purpose of paragraph (1) of this subsection, the Federal share shall be—

(A) 80 per centum of a program to establish a new community education program,

(B) 65 per centum of a program to expand or improve a community education program for the first year in which such program is assisted under this section, and 55 per centum in any fiscal year thereafter, and

(C) 40 per centum of a program to maintain or carry out a community education program.

(4) Any State or local educational agency desiring to receive a grant under this section for any fiscal year shall submit an application to the Commissioner at such time, in such manner, and in such form as the Commissioner shall prescribe by regulation. Each such application shall contain provisions— Application.

(A) assuring that local community colleges, social, recreational, and health groups will be consulted with respect to programs to be offered and facilities to be used for the purpose of this section;

(B) assuring that the applicant will pay from non-Federal sources the remaining costs of carrying out the application; and

(C) containing a description of each community education program for which assistance is sought in sufficient detail to apply the appropriate Federal share specified in clause (3) of this subsection.

The Commissioner shall not approve an application submitted by a local educational agency unless the State educational agency of the State in which that local educational agency is located has been given an opportunity to review, and make comment on, such application.

(e) The Commissioner is authorized to make grants to institutions of higher education to develop and establish, or to expand, programs which will train persons to plan and operate community education programs. Training grants.

(f)(1) The Commissioner shall establish or designate a clearinghouse to gather and disseminate information received from community education programs, including but not limited to information regarding new programs, methods to encourage community participation, and ways of coordinating community education programs with other community services. The Commissioner is authorized to contract with public or private agencies or organizations to establish and operate the clearinghouse. Information clearinghouse.

(2) The Commissioner shall make available to each community education program such technical assistance and information as the program may require, and such technical assistance shall be coordinated with the national clearinghouse. Technical assistance.

(g)(1) There is established, subject to part D of the General Education Provisions Act, in the Office of the Commissioner, a Community Education Advisory Council (referred to in this section as the "Advisory Council") to be composed of eleven members. The members of the Advisory Council shall be appointed by the Secretary. Post, p. 575. Community Education Advisory Council. Establishment; membership.

(2) A substantial number of the members of the Advisory Council shall be persons experienced in the operation of community education programs and the training of such persons. The Council shall include representatives from various disciplines involved in providing services in community school programs.

(f)(1) The Commissioner shall establish or designate a clearinghouse within three months after enactment of this section. Clearinghouse.

(4) The Commissioner shall make available to the Advisory Council such staff, information, and other assistance as it may require to carry out its activities.

(5) The Advisory Council shall advise the Commissioner on policy matters relating to the interests of community schools.

Policy guidelines.

(f) In the fiscal year ending June 30, 1975, the Advisory Council shall be responsible for advising the Commissioner regarding the establishment of policy guidelines and regulations for the operation and administration of this section. In addition, the Council shall create a system for evaluation of the programs. The Council shall present to Congress a complete and thorough evaluation of the programs and operation of this section for each fiscal year ending after June 30, 1975.

Evaluation, submittal to Congress.

(h) In approving applications under this section the Commissioner shall insure that there is an equitable geographical distribution of community education programs throughout the United States in both urban and rural areas.

Appropriation.

(i) The Commissioner is authorized to expend (1) for the purposes of subsection (d), $15,000,000 for each fiscal year ending prior to July 1, 1978; and (2) for the purposes of subsection (e), $2,000,000 for each fiscal year ending prior to July 1, 1978.

CAREER EDUCATION

Sec. 406 . . . .

CONSUMERS' EDUCATION

SEC. 407. (a)(1) Section 811(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

88 Stat. 349. 20 USC 887d.

"SEC. 811. (a)(1) There shall be within the Office of Education an Office of Consumers' Education (hereafter in this section referred to as the 'Office') which shall be headed by a Director of Consumers' Education (hereafter in this section referred to as the 'Director') who, subject to the management of the Commissioner, shall have responsibility for carrying out the provisions of this section.

"(2) The Director shall be appointed by the Commissioner in accordance with the provisions of title 5 of the United States Code relating to appointments to the competitive service.".

5 USC 101 et seq.

(2) Such section 811(b) of such Act is amended, in clause (ii) in the second sentence of paragraph (1)(C), by striking out "paragraph (2)" and inserting in lieu thereof "subparagraph (B)".

(3) Section 811(d) of such Act is amended to read as follows:

"(d) For the purpose of carrying out this section, the Commissioner is authorized to expend not to exceed $15,000,000 for each fiscal year ending prior to July 1, 1978.".

Effective date. 20 USC 887d note.

(b) The amendments made by paragraph (3) of subsection (a) shall be effective on and after July 1, 1973.

WOMEN'S EDUCATIONAL EQUITY

SEC. 408. (a) This section may be cited as the "Women's Educational Equity Act of 1974."

Women's Educational Equity Act of 1974. 20 USC 1861.

(b)(1) The Congress hereby finds and declares that educational programs in the United States (including its possessions), as presently conducted, are frequently inequitable as such programs relate to women and frequently limit the full participation of all individuals in American society.

(2) It is the purpose of this section to provide educational equity for women in the United States.

(c) As used in this section, the term "Council" means the Advisory Council on Women's Educational Programs.

"Council."

(d)(1) The Commissioner is authorized to make grants to, and enter into contracts with, public agencies and private nonprofit organizations and with individuals for activities designed to carry out the purposes of this section at all levels of education, including preschool, elementary and secondary education, higher education, and adult education. These activities shall include—

Grants and contracts.

(A) the development, evaluation, and dissemination by the applicant of curricula, textbooks, and other educational materials related to educational equity;

(B) preservice and inservice training for educational personnel including guidance and counseling with special emphasis on programs and activities designed to provide educational equity;

(C) research, development, and educational activities designed to advance educational equity;

(D) guidance and counseling activities, including the development of nondiscriminatory tests, designed to assure educational equity;

(E) educational activities to increase opportunities for adult women, including continuing educational activities and programs for underemployed and unemployed women;

(F) the expansion and improvement of educational programs and activities for women in vocational education, career education, physical education and educational administration.

(2) A grant may be made and a contract may be entered into under this section only upon application to the Commissioner, at such time, in such form, and containing or accompanied by such information as the Commissioner may prescribe. Each such application shall—

Applications.

(A) provide that the program or activity for which assistance is sought will be administered by or under the supervision of the applicant;

(B) describe a program for carrying out one of the purposes set forth in subsection (a) which holds promise of making a substantial contribution toward attaining such purposes; and

(C) set forth policies and procedures which insure adequate evaluation of the activities intended to be carried out under the application.

(3) The Commissioner shall approve applicants and amendments thereto which meet the requirements of paragraph (2).

(4) Nothing in this section shall be construed as prohibiting men from participating in any programs or activities assisted under this section.

Nondiscrimination.

(e) In addition to the authority of the Commissioner under subsection (d), the Commissioner shall carry out a program of small grants, not to exceed $15,000, each, in order to support innovative approaches to achieving the purpose of this section; and for that

Additional grants.

purpose the Commissioner is authorized to make grants to public and private nonprofit agencies and to individuals.

Advisory Council on Women's Educational Programs. Establishment; membership.

(f)(1) There is established in the Office of Education an Advisory Council on Women's Educational Programs. The Council shall be composed of—

(A) seventeen individuals, some of whom shall be students, who shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals broadly representative of the general public who, by virtue of their knowledge or experience, are versed in the role and status of women in American society;

(B) the Chairman of the Civil Rights Commission;

(C) the Director of the Women's Bureau of the Department of Labor; and

(D) the Director of the Women's Action Program of the Department of Health, Education, and Welfare.

The Council shall elect its own Chairman.

Term.

(2) The term of office of each member of the Council appointed under clause (A) of paragraph (1) shall be three years, except that—

(A) the members first appointed under such clause shall serve as designated by the President, six for a term of one year, five for a term of two years, and six for a term of three years; and

(B) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

Duties.

(3) The Council shall—

(A) advise the Commissioner with respect to general policy matters relating to the administration of this section;

(B) advise and make recommendations to the Assistant Secretary concerning the improvement of educational equity for women;

(C) make recommendations to the Commissioner with respect to the allocation of any funds pursuant to this section, including criteria developed to insure an appropriate geographical distribution of approved programs and projects throughout the Nation; and

(D) develop criteria for the establishment of program priorities.

Sex discrimination in education, review.

(4) From the sums available for the purposes of this section, the Commissioner is authorized and directed to conduct a national, comprehensive review of sex discrimination in education, to be submitted to the Council not later than a year after the date of enactment of this section. The Council shall review the report of the Commissioner and shall make such recommendations, including recommendations for additional legislation, as it deems advisable.

(5) The provisions of part D of the General Education Provisions Act shall apply with respect to the Council established under this subsection.

Post, p. 575.

Report to President, Congress and Council.

(f) The Commissioner is directed, at the end of each fiscal year, to submit to the President and the Congress and to the Council a report setting forth the programs and activities assisted under this section, and to provide for the distribution of this report to all interested groups and individuals, including the Congress, from funds authorized under this section. After receiving the report from the Commissioner, the Council shall evaluate the programs and projects assisted under this section and include such evaluation in its annual report.

Program evaluation.

Appropriation.

(h) For the purpose of carrying out this section, the Commissioner is authorized to expend not to exceed $30,000,000 for each fiscal year prior to July 1, 1978.

ELEMENTARY AND SECONDARY SCHOOL EDUCATION IN THE ARTS

SEC. 409. The Commissioner shall, during the period beginning after June 30, 1974 and ending on June 30, 1978, through arrangements made with the John F. Kennedy Center for the Performing Arts, carry out a program of grants and contracts to encourage and assist State and local educational agencies to establish and conduct programs in which the arts are an integral part of elementary and secondary school programs. Not less than $750,000 shall be available for the purposes of this section during any fiscal year during the period for which provision is made in the preceding sentence. 20 USC 1667.

EFFECTIVE DATE

SEC. 410. Except where otherwise specified in this title, the amendments made by, and the provisions of, this title shall be effective on and after the date of enactment of this Act. 20 USC 1801 note.

APPENDIX 5-A

federal register

TUESDAY, JUNE 28, 1977

PART IV

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

WOMEN'S EDUCATIONAL EQUITY ACT PROGRAM

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 160f—WOMEN'S EDUCATIONAL EQUITY ACT PROGRAM

AGENCY: Office of Education (OE), HEW.

ACTION: Final regulations.

SUMMARY: This document amends the regulations as required by the Education Amendments of 1976 to simplify the language, simplify the preapplication process, eliminate priority areas for general grants and adjust evaluation criteria and the basis for award decisions.

EFFECTIVE DATE: Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d)), this regulation has been transmitted to the Congress concurrently with its publication in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions thereof concerning congressional action and disapprovement.

FOR FURTHER INFORMATION CONTACT:

Dr. Mary Jane Smalley, U.S. Office of Education, Room 2143, 400 Maryland Avenue SW., Washington, D.C. 20202 (202-245-2181).

SUPPLEMENTARY INFORMATION:

BACKGROUND

The Women's Educational Equity Act Program is a discretionary program in the Office of Education authorized by the Education Amendments of 1974, Pub. L. 93-380, with a stated purpose to provide educational equity for women. This is defined in the regulation as including both the elimination of inequity which prevents full and fair participation by women in educational programs and in American society generally and the achievement of responsiveness by educational leaders and other personnel to the special educational needs, interests and concerns of women arising from inequitable education policies and practices.

The Act authorizes activities at all levels of education: Preschool, elementary and secondary education, higher education, and adult education. The Act provides likewise for an extremely broad range of program activities: The development, evaluation, and dissemination of curricula, textbooks, and other educational materials; training for educational personnel; research and development; guidance and counseling activities; educational activities for adult women; educational programs for women in vocational education; career education; physical education; and educational administration.

Both grants and contracts may be awarded in the areas listed above. In addition to general grants in these areas, the statute authorizes a program of small grants, not to exceed $15,000, in order to support innovative approaches to the achievement of educational equity for women. In the first year of program operation, contracts were awarded for two major national activities: technical assistance in the implementation of Title IX of Pub. L. 92-318 and a communications network to provide a wide range of information services to individuals and institutions.

The law specifies that public agencies, private non-profit organizations, and individuals are eligible for awards under the program.

PUBLIC RESPONSE TO THE NOTICE OF PROPOSED RULEMAKING

In contrast to the large numbers of comments received on the Advance Notice of Proposed Rulemaking published on October 21, 1976 (41 FR 46576-78), only eight written comments were received on the Notice of Proposed Rulemaking. Hearings were conducted in ten locations across the country. They were generally well attended (a total of 350 persons) and provided an opportunity for extensive dialogue between the Office of Education and participants. Two issues were raised quite frequently: (1) The unrealism of the deadlines for preapplications and applications, and (2) the disastrous effect of making grant awards as late as September or October to projects which work in or with educational systems. Neither can be remedied in the regulation. The Office of Education plans to address them in administering the program. Some formal comments on the regulations were made at the meetings and are considered with the written comments in this preamble. The National Advisory Council on Women's Educational Programs reviewed the proposed rule and provided its comments in writing to the Commissioner.

The overall reaction to the regulation was that it was a substantial improvement over the regulation used in the first year of the program. Commenters praised the increased flexibility, the elimination of priorities, reduction of paperwork, addition of definitions, and simplification of the preapplication process.

The following specific comments were made either in writing or at the hearings. After the summary of each comment, a response follows stating changes which have been made in the regulation, or the reasons why no change is deemed appropriate. The comments appear in the order of the sections of the final regulation. There are no significant differences from the Notice of Proposed Rulemaking which was published in the FEDERAL REGISTER on April 1, 1977 (42 FR 17396-11).

GENERAL

Comment. Concern was expressed about the difficulty in coping with Government regulations and forms for persons and organizations which have had no previous experience. Although the WEEA regulation was commended for its improvement over the previous regulation in this regard, some commenters indicated that the problem still exists. One commenter asked that the regulation be simplified into one page. Another commentor recommended various outreach efforts to reduce fear of the application process, and commended the regional hearing in which the comment was made for helping to do just that. One commenter differed in attitude to the regulation and the criteria and described herself as a "satisfied customer," though by no means a professional granteeperson.

Response. Several steps have already been taken to respond to these concerns. First, the revision of last year's regulation was deemed imperative, though it meant a late announcement of the competition, minimum time before application deadlines, and no awards possible before September—all serious issues. Secondly, hearings were conducted at ten locations throughout the country and were judged helpful in providing technical assistance. In addition, other efforts to deal more specifically with the problem are currently being planned to enable persons to work with regulations with greater ease. At the hearings, persons working for educational equity for women repeatedly made requests for assistance to gain expertise in both project and application development.

SECTION 160f.1(c) TEXTBOOKS AND CURRICULAR MATERIALS

Comment. One commenter noted that this paragraph had been altered slightly in punctuation and wording. Although advised by legal counsel that the revision did not change the substance, the commenter requested confirmation in the preamble that the change was technical only, was not meant to be substantive, and should not be interpreted as signifying a dilution of the provision's original intent.

Response. The commenter is absolutely correct. The change was solely editorial and has no impact on the intent or meaning of the statement.

SECTION 160f.2 DEFINITIONS

Comment. One commenter asked for clarification between "target population" and "population groups."

Response. A definition of "target population" was included in § 160f.2 of the regulation. Population groups are defined in § 160f.3(d) where the regulation states that a project may focus on the approach to educational equity for women relating to one or more population groups based on race, ethnic origin, age, socioeconomic status, or residence (e.g., rural, urban, Southwestern, Appalachian). "Target population" appears in §§ 160f.7(c)(2)(ii)(B), 160f.8(c)(2)(iii) and 3(iii). "Population group(s)" appears in §§ 160f.3(d), 160f.8(c)(2)(iii) and (3)(iii), and 160f.10(a)(2)(iii)(B) and (E).

Comment. One comment indicated that the use of "validation procedures" in the regulation is difficult for persons not familiar with such terminology.

Response. A definition of validation as it is used in the WEEA Program has been added. It includes both a general and a more technical description.

SECTION 160f.3 NATURE OF PROJECTS

Comment. Several commenters welcomed the use of a synonym for "capacity building." With two exceptions, the continuation of the concept was endorsed by all who commented. One commenter questioned whether any model can be replicated and whether anyone will ever use anyone else's materials. One comment raised the issue of continued advisability of emphasizing "products" with a potential "future impact" instead of supporting projects likely to have a broad immediate impact, regional or nationwide.

Response. Projects likely to have a broad immediate impact, regional or nationwide, would appear to meet the requirements for the "development of model programs and products." In view of the scope of the Act, the extent of the need, and the limited funds available, the Office of Education is not prepared to change this policy in order to provide assistance funds for the benefit of individuals and local groups. No change has been made in the regulation.

Comment. A number of commenters addressed the issue of dissemination. They cited the priority it must be given in this program if national needs in the area of educational equity for women are to be met and if the purpose of the program requirement for the development of model programs and products which can be used in other places is to be fulfilled.

One commenter requested the addition and clarification of information on the role and responsibilities of the grantee and of the Office of Education regarding dissemination.

Response. The importance of dissemination is well understood. A contract to manage the dissemination of programs and products developed under WEEA has been issued. A reference to it appears in § 160f.14(b)(3). References to "applicants and others" have been deleted in §§ 160f.8(c)(3)(v) and 160f.10(a)(2)(iii)(B).

SECTION 160f.5 DURATION OF PROJECTS

Comment. A few commenters asked why all the grants were not multi-year awards. Two reasons for the comment were given: the need to provide greater opportunities for new people to start new things as well as the fact that projects concerned with the deeply embedded beliefs and practices related to sex bias require time to develop and test.

Response. The policy decision that a substantial proportion of the awards would be for single-year projects was made to ensure that new funds would be available in subsequent years to start new projects. The encouragement of one-year projects also reflects recognition by the Office of Education that many individuals and organizations had already been doing excellent work in educational equity for women and WEEA funds for one year might complete these efforts and make their results available as quickly as possible. The demand for quick, demonstrable results comes from people throughout the country as well as from the Congress, the Department, and other officials in the Executive Branch.

SECTION 160f.7 PREAPPLICATIONS

Comment. Many commenters endorsed the three-page preapplication and simplified information required. One comment questioned the validity of using the preapplication process unless all applicants are required to use it as a condition for submitting an application. Several commenters expressed negative views on the preapplication, its usefulness to applicants, and its costs to the Government.

Response. The policy of the Department of Health, Education, and Welfare presently does not allow the Office of Education to reject or prejudice an application if it is submitted on time for a published closing date for applications solely because the applicant did not previously submit a preapplication. Nor does the Department of HEW permit the rejection or prejudice of an application if the preapplication was considered to lack potential to compete successfully with other applicants. Within these constraints, the Women's Program Staff responsible for this program found last year that most applicants did use the preapplication process and did follow the advice about whether or not to submit a full application. Some applicants who did not submit preapplications and some who were not encouraged to submit an application did submit applications, and some of both types were funded. The Commissioner believes that the purposes of the preapplication process, so heavily endorsed by the public in the comments received last fall on the Advance Notice of Proposed Rulemaking, can still be achieved within the present constraints.

All previous commenters have viewed the preapplication process as a method to save resources for applicants as well as for the Government. The Commissioner will consider the new comments in decisions for future years about using the preapplication. No change has been made in the regulation. It does not require preapplications, but only describes the conditions which apply in any fiscal year if the Commissioner exercises the option to include use of the preapplication in the competitive process.

On the basis of this year's experience, the final regulation provides that the program narrative of a preapplication may not exceed five pages.

SECTIONS 160f.7(d) AND 10 EVALUATION CRITERIA

Comment. In general, most commenters expressed the view that the evaluation criteria were clear and would reasonably measure factors important to the success of projects in this program.

Several commenters, however, believed that too many points were assigned to the previous experience in educational equity for women either of the applicant or of the proposed director and staff. One comment noted that this practice would defeat the purpose of the Act "because not that many people or institutions can have experience at this time." Other commenters expressed the view that the emphasis on previous experience, in addition to the quantity of one-year-only projects, made it impossible for new people with new ideas to compete successfully. One commenter said that the weight given to applicant qualifications placed school districts at a competitive disadvantage and denied them the opportunity for staff development. One commenter stated that the points awarded for applicant qualifications were particularly out of balance to the minimal weight given to evaluation, a very important element in the success of the project and of the national program.

Other commenters took the opposite view: that people and organizations which have been working for a number of years in this field would be more efficient and therefore more productive and should be rewarded for previous efforts by this program.

Response. The number of points awarded for previous experience in educational equity for women of the applicant and of the proposed director and staff is consistent with the program's major goal of developing and disseminating model programs and programs which are tested for effectiveness. Logically, the program must seek the most competent and committed applicants and personnel to undertake such tasks.

The weight given to these factors is also consistent with the advice which has been received in the Office of Education since the early formulation of the WEEA Program emphases. Individuals and organizations have repeatedly recommended that previous efforts in educational equity for women be considered.

Applicants and personnel who are inexperienced in this area are not excluded from competition. Applicants may obtain high scores despite weaknesses in experience, if the application is strong in the many other factors which are considered in the evaluation criteria.

Comment. One comment identified an area of concern regarding the evaluation of applicant qualifications by reviewers. The commenter recommended that every effort be made to eliminate stereotypes of professional fields or disciplines, stating: "Some professional fields which have historically been composed mostly of women have had to battle such subtle and unrecognized forms of discrimination associated with stereotyping. We are not asking that special consideration be given any field. We encourage special efforts to see that stereotypes do not get in the way of accurate interpretation of information in proposals."

Response. The point is well taken. In the future, the instructions to reviewers will include a reminder to them to be alert to possibilities of such stereotyping and to honor fully the diversity of approaches to educational equity for women which is recognized by the program regulation.

Every effort is made to obtain knowledgeable reviewers who are sensitive to aspects of discrimination and stereotyping in this field. Under the Office of Edu-

cation's procedures for the review of grant applications, reviewers must score applications in accordance with priorities and criteria, explanations and instructions, and solely on the content in the application. Further, the reviewers are to score solely on the basis of their best judgment and to the degree to which the application meets the criteria.

No changes have been made in the regulation on the number of points awarded for applicant qualifications.

Comment. Two respondents objected to the proposed criterion for review of applications in § 160f.10(a)(iii). The criterion concerns the applicant's commitment to the project, through in kind or direct financial contributions, or through procedures to use all or parts of the program or products developed under the grant in the continuing activities of the applicant. The respondents argued that (1) the level of cost sharing is not relevant to an applicant's qualifications, (2) the criterion sought to do indirectly what the Government could not do directly; i.e., influence indirect cost rates; and (3) cost competition is inconsistent with the purpose of grants because it gives an unfair advantage to wealthier institutions.

Response. The sole purpose of the subject criterion is to permit consideration of an applicant's commitment to the project. OE has found this to be an important ingredient in predicting a project's success. Moreover, cost sharing is not the only measure of the applicant's commitment to the project. An applicant which proposed no financial contribution to the project could still earn the maximum number of points assigned to this criterion by demonstrating procedures to use all or parts of the program or products developed under the grant in the continuing activities of the applicant.

Further, funds available for the program are severely limited. Under these circumstances it is entirely appropriate in weighing equally meritorious applications to consider and give some weight to the Department's share of the costs, and therefore the number of projects that can be funded. If a wider variety of projects can be supported, the Federal assistance has potential for a greater impact in carrying out the program's purposes.

In order to make it clear that the ability to cost share is not one of the applicant's qualifications, the subject criterion has been deleted from § 160f.10(a)(1). Applicant Qualifications and inserted in § 160f.10(a)(2), Need and Impact. Also, the objection to language designed to influence indirect cost rates is well taken. No such intent is expressed in the final rule.

Comment. Several comments addressed the issue of geographical distribution of awards in § 160f.10(a)(4). Were there State allocations? Why did so many awards go to the South and West last year? Will funds be available on a regional basis as last year or is it going to where the best request comes from?

Response. There are no State or regional allocations. The law requires "appropriate" geographical distribution, but not any specific distribution according to population. The "South" and the "West" did not receive a disproportionate number of grants last year.

The provision in the regulation states that up to 20 points may be awarded in order to have an appropriate geographical distribution of project awards. If an application receives a low score, however, the addition of 20 points based on geography would not bring it into the competitive range. No change has been made in the regulation.

SEC. 160f.12 GENERAL GRANTS

Many commenters endorsed the elimination of priority areas. One commenter, however, did not understand how the program could have changed its plans after publishing the Advance Notice of Proposed Rulemaking last October which identified the preschool level and rural and minority populations as proposed priorities. One comment expressed understanding of the rationale for not identifying rural populations as a program priority but expressed concern that in all areas of program decisions, particularly dissemination, attention should be given to the special problems of rural areas. The commenter also noted that the HEW regional offices are all in urban areas, and do not always communicate adequately with their rural constituents.

One commenter asked if all projects had to focus on poor, rural, or minority women, an impression the person has received from the description of projects in last year's annual report.

Several commenters expressed concern that with no priorities, the program gives no credence to the fact that educational equity for women impacts on different women in different ways. A commenter recommended that the program set priorities on the needs of some women.

One commenter praised the recommendation submitted last December in response to the Advance Notice of Proposed Rulemaking which strongly endorsed the identification of priorities for WEEA and recommended sports, textbooks, dissemination, incentives for change, and minority and rural populations.

One commenter recommended that priority be given to women over 40, post high school graduates, and average women. Other commenters recommended that the program should provide funds to help women in need instead of using grants to higher education. A comment recommended that the grant program be reduced and that more contracts should be awarded for specific projects which the Government identified as most necessary.

Response. Although support for the elimination of priorities this year was substantial, an overwhelming majority favoring the establishment of priorities in the [illegible] final regulation to [illegible] Fiscal year 1977. The kind of [illegible] this year will be analyzed carefully by the Office of Education and by the National Advisory Council on Women's Educational Programs. As a result of this analysis, a decision will be made regarding this issue for fiscal year 1978. The final regulation provides for the possible publication of priorities in an Appendix on the basis of annual decisions.

Although applications addressing special population groups based on race, ethnic origin, age, socioeconomic status or residence do not receive additional points, there is a specific provision in § 160f.3(d) for applicants to develop projects which focus on one or more of these groups. The program has not set priorities on the needs of different girls and women. The degree of need and potential impact of projects are elements in the evaluation criteria for all applications, and in this way the factor of relative needs among groups may be considered.

The Advance Notice of Proposed Rulemaking invited public comments before a rule was formally proposed. The Office of Education did not go forward with its proposal for three new priorities on the basis of these public comments. An analysis of the comments and the rationale for the decisions ultimately made were described in some detail in the preamble to the Notice of Proposed Rulemaking. The change was surprising to some, like the commenter who did not understand how the three proposed new priorities could disappear. If the process of public discussion of issues before a rule is proposed is honored, however, the results must not be predetermined.

Some of the recommendations for a priority to provide funds to address the most urgent needs of women would not meet the program requirement for the development of model programs and products. The amount of funds available to the WEEA Program precludes the provision of direct services and benefits to individuals and groups throughout the country who need help. Further, this program provides educational equity for women and cannot address all the needs which women have related to health, legal rights, credit, transportation, child care. It cannot support projects to provide equity in areas outside education where inequities exist.

The Office of Education will continue to identify areas which are not being covered in the grant program, or which cannot be covered there, and will issue contracts.

No change has been made in the regulation regarding general grants.

SECTION 160f.13 SMALL GRANTS

Comment. Several comments were made on the small grant program. With one exception, they continue to be positive. A comment recommended that the small grant program continue the requirement that projects develop model programs or products and not be designed primarily to provide direct services or benefits to individuals or groups. Commenters asked whether small grant applications are subject to the application requirements for general grants and whether the dissemination contract will serve small grants also.

A commenter did question the validity of small grants, since they seemed to differ from general grants only in the amount of money. An alternative suggested was the support of WEEA coordinators in the Regional Offices of Education or in the State departments of education. The commenter recommended a study in the cost efficiency of small grants compared to general grants.

Response. Small grants must meet the same application requirements and are reviewed by the same evaluation criteria as general grants. Appropriate consideration to the scope and amount of the proposed award ($15,000 or under) is made. References to this factor appear in §§ 160f.8(d) and 160f.10(c). The contract for dissemination covers small grants.

The Office of Education is following the progress of small grants, which are specifically mandated in the authorizing legislation. To date, the indicators are promising. Most commenters have praised small grants and recommended that their number be increased. WEEA Program funds could not be used to pay salaries of Federal employees working in Regional Offices of Education. Because of the three year authorization of the Women's Educational Equity Act and its designation as a demonstration program, the support of positions in all State Departments of Education would not be appropriate.

No change has been made in the regulation.

SECTION 160f.15 ALLOWABLE COSTS.

Comment. Two comments objected to the inclusion of specific provisions regarding allowable costs in proposed § 160f.15. The comments expressed the view that some of the provisions merely restated in different words general OMB, Department, and Office of Education cost policies, while others were at variance with the general policies. The comments recommended that the final regulation merely cross-reference the general cost principles.

One comment suggested that a ceiling of 20% be placed upon indirect costs so that a greater proportion of funds could be used for product development and dissemination. Another asked that a summary of provisions on indirect costs be included.

Response. No change has been made in the regulation. The regulation already does cross-reference general cost policies of the Office of Education (which reflect the OMB and Department policies) in § 160f.15(a). However, a limited number of specific provisions on costs are set forth in § 160f.15(a) for the purpose of providing additional guidance to applicants. Many applicants under this program, including individual persons and informal nonprofit groups, are inexperienced in Federal grant matters. The subject provisions relate to specific cost items on which there are recurring questions and serve to give extra guidance to these persons and groups. With respect to the items concerning depreciation and use allowances and membership, subscriptions, and professional activities, § 160f.15(a) requires specific approval for inclusion of these items. (The general cost principles do not require specific approval.) Specific approval is required because of the very limited funds available for the program. The Commissioner deems it important to maintain some control over the extent of these costs in specific projects. Absent the requirement for prior approval, it is possible that substantial funds would go for these activities which would not directly further the purposes of the program. As a result, the potential program impact would be diluted.

With respect to the issue of limiting indirect costs, uniform rates for these costs are established in negotiations by Department representatives with award recipients. Individual programs are not free to establish by regulation separate limits on these costs. Indirect costs are summarized in the appendices to the OE General Provisions regulation (Subchapter A of this chapter, 45 CFR Parts 100, 100a, 100b) and in supplementary materials issued by the Department. Applicants interested in obtaining these materials may write to the Women's Program Staff at the address given above.

In addition to the changes noted above, a number of typographical and editorial changes have been made.

(Section 408 of the Education Amendments of 1974 (Pub. L. 93-380), as amended by section 501(a)(8) of the Education Amendments of 1976 (Pub. L. 94-482).)

NOTE.—The Office of Education has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

(Catalog of Federal Domestic Assistance No. 13.963, Women's Educational Equity Act Program.)

Dated: June 3, 1977.

ERNEST L. BOYER,
U.S. Commissioner of Education.

Approved: June 21, 1977.

JOSEPH A. CALIFANO, Jr.,
Secretary of Health, Education, and Welfare.

Sec.
160f.1 Scope and Purpose.
160f.2 Definitions.
160f.3 Nature of projects to provide educational equity for women.
160f.4 Types of projects.
160f.5 Duration of projects.
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160f.7 Preapplications.
160f.8 Application, proposal, and project requirements.
160f.9 Award decisions.
160f.10 General evaluation criteria.
160f.11 [Reserved].
160f.12 General grant awards.
160f.13 Small grant awards.
160f.14 Contract activities.
160f.15 Allowable costs.

AUTHORITY: Sec. 408, Pub. L. 93-380 (20 U.S.C. 1866).

§ 160f.1 Scope and purpose.

(a) *Scope.* The regulations in this part govern projects awarded with funds appropriated under the Women's Educational Equity Act of 1974, section 408 of Pub. L. 93-380, or with funds made available for expenditure under the Women's Educational Equity Act pursuant to the Special Projects Act, as enacted by section 402 of Pub. L. 93-380.

(20 U.S.C. 1866 and 1861.)

(b) *Purpose.* The purpose of the program carried out under this part is to provide, through grants and contracts, educational equity for women in the United States.

(20 U.S.C. 1866(a) and (b).)

(c) *Other pertinent regulations.* (1) *Grant awards.* Grant awards under this part, including awards to individuals, are subject to applicable provisions contained in subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters, 45 CFR Parts 100, 100a et seq.).

(2) *Contract awards.* Contract awards under this part, including awards to individuals, are subject to applicable provisions contained in 41 CFR Chapters 1 and 3.

(20 U.S.C. 1866.)

(d) *Participation by men; nondiscrimination.* (1) Award recipients may not discriminate on the basis of sex in employment or in the admission of participants to training, validation, or other activities funded under this part.

(2) The selection of persons to participate in training, validation, and other activities funded under this part must be based upon criteria which measure the extent to which the persons:

(i) Will benefit from the activities; and

(ii) Can contribute to the project's purposes.

(20 U.S.C. 1866.)

(e) *Textbooks and curricular materials.* Nothing in this part shall be interpreted as requiring, prohibiting, or abridging the use of particular textbooks or curricular materials.

(20 U.S.C. 1866(d)(1)(A); 20 U.S.C. 1232i.)

§ 160f.2 Definitions.

As used on this part: (a) "Act" means the Women's Educational Equity Act of 1974, section 408 of Pub. L. 93-380.

(20 U.S.C. 1866.)

(b) "Capacity building" or "development of model programs and products" means that projects develop model programs and products to be used by organizations, agencies, and individuals other than the award recipient and thereby have a substantial national impact in furthering the purpose of providing educational equity for women.

(1) The primary goal of projects is not provision of services or benefits to particular organizations, agencies, or individuals, although these services or benefits may occur as an indirect effect.

(2) The use of the word "national" with the development of model programs and products (or capacity building) does not mean that all school systems, or

all adult women, or all institutions of higher education in the Nation must be able to use the programs or products developed. Section 160f.3(d) explicitly authorizes projects which focus on one or more diverse population groups. "National" is used primarily to make a distinction from purely local projects. Examples of target populations for projects which would contribute to national capacity are: administrators of urban school systems, employers and counselors who work with adults entering the job market in rural areas, directors of women's centers, teachers at the elementary level, rural educators in the Southeast, State directors of vocational education, and curriculum specialists for bilingual projects in the Southwest.

(3) While a number of education programs use the term "capacity building" to refer to the use of Federal funds as seed money to build the capacity of a recipient institution to change or reform itself and thereby respond to national priorities, those kinds of programs are often characterized by limitation to only one or two types of applicants, for example, only local educational agencies or institutions of higher education, or by limitation to one level of education, such as postsecondary education. On the other hand, the Women's Educational Equity Act (WEEA) Program authorizes activities at all levels of education and permits all public agencies, nonprofit organizations, and individuals to compete for funds. Further, there are few models presently available to the thousands of institutions and agencies which are undertaking certain changes either because of the effect of Title IX or because of other factors, such as the desire of certain institutions to meet the needs of new kinds of students. The WEEA program, therefore, is building capacity at the national level to respond to needs throughout the country. The program emphasizes those aspects of program operations which can produce evidence of effectiveness so that the results can be disseminated for use in many institutions and agencies.

(4) Examples and an indication of whether they meet the program requirement may be useful. An application from a school system for the purpose of training its own administrators, teachers, and counselors to be aware of and to change differential treatment of students on the basis of sex would not meet the requirement for capacity building or development of model programs and products. An application to develop and test a program for training administrators, teachers, and counselors to be aware of and to change differential treatment of students on the basis of sex with plans for field testing in school systems and a plan for dissemination through school associations is an example of capacity building. The objective of the first is the training of several hundred administrators, teachers, and counselors to benefit a specific school system. The objective of the second is to develop and test a model program so that it can be made available to others who need it. In the school systems where it is tested, the administrators, teachers, and counselors who participate in the validation would receive benefits as an indirect effect.

(5) A second example would be an application to establish a Women's Center to provide and coordinate activities affecting educational equity for women and to develop a more extensive program to meet the needs of adult students at a particular institution. Such an application does not meet the requirement for capacity building, since it is designed to serve a particular institution. Applications addressing aspects of the operations of women's centers which are being researched, developed, or analyzed for the use of many similar centers could meet the requirements of capacity building. One may use the test of how the need is expressed to determine whether the program's requirement would be met. For example, in the first, the institution needs a better women's center. The project would meet the institution's and its individual client's needs. In the second, there is a need to learn what structure, activities, or personnel in women's centers are most productive and cost-effective. The project meets the need to solve a problem affecting many institutions. Again, side benefits may occur within a project for the individuals involved.

(6) A third example is an application to provide funds for the special costs of an existing program to train and place 12 unemployed adult women. The measure of effectiveness would be the completed training and successful placement of the 12 persons. This would not be an effort to develop national capacity building.

(7) Scholarships and fellowships to serve the needs of an individual would not qualify, nor would the construction of facilities for athletics, for example, be permissible.

(20 U.S.C. 1866 (b), (d), and (e).)

(c) "Council" means the National Advisory Council on Women's Educational Programs established pursuant to subsection (f) of the Act.

(20 U.S.C. 1866 (c) and (f).)

(d) "Educational equity for women" means:

(1) The elimination of discrimination on the basis of sex and of those elements of sex role stereotyping and sex role socialization in educational institutions, programs, and curricula which prevent full and fair participation by women in educational programs and in American society generally; and

(2) The achievement of responsiveness of educational institutions, programs, curricula, policy makers, administrators, instructors, counselors, and other personnel to the special educational needs, interests, and concerns of women arising from inequitable educational policies and practices.

(3) Educational equity for women involves the elimination of stereotyping by sex, so that both men and women can choose freely among and benefit from opportunities in educational institutions and programs with limitations determined only by each individual's interests, aptitudes, and abilities. Educational equity for women does not imply the development of new stereotypes for men and women.

(e) "Elementary school" means a day or residential school which provides elementary education, as determined under State law, and "Elementary school level" means the educational level at which elementary education is provided, as determined under State law.

(f) "Local educational agency" or "LEA" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. The term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(g) "Man" or "men" may include, as appropriate, boys.

(h) "Nonprofit," as applied to a school, agency, organization, or institution means a school, agency, organization, or institution owned and operated by one or more nonprofit corporations or associations no part of the net earning of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(i) "Public agency" means a legally constituted organization of government under public administrative control and direction, including Indian tribes which exercise municipal functions, but does not include agencies of the United States.

(j) "Secondary school" means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12, and "Secondary school level" means the educational level (not beyond grade 12) at which secondary education is provided as determined under State law.

(k) "Sex role socialization" refers to the differential processes and experiences used to prepare males and females for the roles that society defines as being appropriate for their sex.

(l) "Sex role stereotypes" involve assumptions that females or males, because they share a common gender, also share common abilities, interests, values, and/or roles.

(m) "Socialization" is the process by which children and adults are prepared to occupy various roles. It is achieved through the provision and accumulation of life experiences that transmit knowledge, attitudes, and skills to perform functions necessary for these roles. Socialization for young children is often deliberate and readily observable as children are being prepared to carry out a complex collection of economic, social, physical, political, and psychological

roles as adults. Much of adult socialization is subtle and unnoticed because it consists of continued reinforcement for already learned roles. In situations where the learning of new roles or skills is necessary, adult socialization may become extremely focused and explicit.

(n) "State educational agency" or "SEA" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(o) "Target population" means the persons for whose needs the project is designed, with whom the project is validated (tested) and among whom are found the future users of the model program or product.

(1) The target population may include both intermediate and ultimate beneficiaries or solely ultimate beneficiaries.

(2) For example, in a project designed to develop a retraining program for high school counselors in techniques and procedures for providing sex fair counseling for use by counselors across the country, the target population is high school counselors, the intermediate beneficiaries. The ultimate beneficiaries are high school students across the country. In the same type project designed for use by high school counselors of native American youth, the intermediate target population is still high school counselors but the ultimate target population is native American high school youth.

(3) Another example would be a program designed for adult women who desire to reenter the labor force or continue their education. The target population is adult women. Adult women are the population upon which the program is validated, and they are the ultimate beneficiaries. There may be no intermediate beneficiaries. If the project were designed for employers and counselors of adult women, the employers and counselors would be the intermediate beneficiaries and the adult women the ultimate beneficiaries.

(p) (see page 6a)

(q) "Woman" or "women" may include, as appropriate, girls.

(20 U.S.C. 1866.)

(p) "Validation" means testing or trying out materials and programs with persons similar to the users for whom they are designed. It is a process that takes place while a program or product is being developed. It has two purposes: to identify problems which should be corrected in subsequent versions and to assess effectiveness. The terms field-testing or pilot-testing are also sometimes used.

(1) Since the WEEA Program is supporting projects that are developing model programs and products to be widely used by others with similar needs, populations, level of education, and the like, the question to be answered by validation is: "How sure (certain) are we that programs and products are truly doing what we said they would do (validity) and that they do what we say they do consistently (reliability)?"

(2) This is not easy to answer, and validation is a strenuous, exacting procedure or set of procedures planned from the inception of the project and involving such things as sample populations, pre-post tests, statistical analysis, control groups.

(3) The results of sound validation usually indicate under what circumstances and with whom the programs or products can be used and with what degree of certainty and consistency the same original results will be obtained.

§ 160f.3 Nature of projects to provide educational equity for women.

(a) *General.* (1) Educational equity for women, as used in this part, means:

(i) The elimination of discrimination on the basis of sex and of those elements of sex role stereotyping and sex role socialization in educational institutions, programs, and curricula which prevent full and fair participation by women in educational programs and in American society generally; and

(ii) The achievement of responsiveness of educational institutions, programs, curricula, policy makers, administrators, instructors, counselors, and other personnel to the special educational needs, interests, and concerns of women arising from inequitable educational policies and practices.

(2) Educational equity for women, as used in this part, involves the elimination of stereotyping by sex, so that both men and women can choose freely among and benefit from opportunities in educational institutions and programs with limitations determined only by each individual's interests, aptitudes, and abilities. Educational equity for women does not imply the development of new stereotypes for men and women.

(b) *Capacity building: development of model programs and products.* (1) (i) Projects supported under this part must contribute to capacity building in the area of educational equity for women, as defined in § 160f.2.

(ii) The primary goal of projects is not provision of services or benefits to particular organizations, agencies, or individuals, although these services or benefits may occur as an indirect effect.

(2) Projects supported under this part may not develop products which are so expensive to use or adopt that extensive dissemination will be inhibited.

(20 U.S.C. 1866 (b), (d), and (e).)

(c) *Approaches to educational equity for women.* Each project funded under this part must be designed to develop model programs, materials, or other products in order to promote educational equity for women in one or more of the following ways:

(1) *Focus on systemic change.* The elimination of those elements of sex role stereotyping and sex role socialization in educational institutions and agencies which separately and together limit over time the aspirations, experiences, and options of women and men for full participation in American society;

(2) *Focus on institutional change.* Assistance in the process of eliminating discriminatory policies and practices in educational agencies, organizations, and programs which may be contrary to Federal statutes, executive orders, or regulations, or

(3) *Focus on supplementary activities for individuals.* The provision of special educational activities and support services designed to overcome limitations on the opportunities of women resulting from past or continuing discrimination, sex role stereotyping, or sex role socialization.

(20 U.S.C. 1866. Committee on Education and Labor, Hearing on H.R. 208, July 28, 1973, pp. 4-6; S. Rept. No. 763, 93rd Cong. 2d Sess. 78-79 (1974).)

(d) *Diverse approaches to educational equity for women among various population groups.* (1) In recognition of the diverse approaches to the provision of educational equity for women among different groups, projects funded under this part may focus on approaches to educational equity for women relating to one or more population groups based on race, ethnic origin, age, socioeconomic status, or residence (e.g., rural, urban, Southwestern, Appalachian).

(2) If the proposed project does focus on an approach relating to one or more population group(s) above, the project application must:

(i) Identify the population group(s);

(ii) Show understanding and awareness of the goals, values, and priorities of the population group(s); and

(iii) Explain the applicability or limitations of the use of the programs or products with other population groups. The relevance of the project's materials, strategy, and goals to the cultural and other values of the population group(s) must be clearly demonstrated. Extensive research or data is not required in the project application.

(3) Projects under this paragraph are subject to the nondiscrimination provisions of § 160f.1(d).

(20 U.S.C. 1866.)

§ 160f.4 Types of projects.

(a) The Act authorizes the Commissioner to award grants and contracts for activities at all levels of education designed to carry out the purpose of providing educational equity for women, including the following activities related to educational equity:

(1) The development, evaluation, and disseminatoin of currcula, textbooks, and other educational materials;

(2) Preservice and inservice training for educational personnel, including guidance and counseling personnel;

(3) Research, development, and other educational activities;

(4) Guidance and counseling activities, including the development of tests which are nondiscriminatory on the basis of sex;

(5) Educational activities to increase opportunities for adult women, including continuing educational activities for

underemployed and unemployed women; and

(6) The expansion and improvement of educational programs and activities for women in vocational education, career education, physical education, and educational administration.

(20 U.S.C. 1866(d)(1))

(b) In implementing the activities authorized by the Act and described in paragraph (a) of this section, the Commissioner will:

(1) Make awards for general grants, as described in § 160f.12.

(20 U.S.C. 1866(d))

(2) Make small grants, not to exceed $15,000 each, to support innovative approaches to the provision of educational equity for women, as described in § 160f.13; and

(20 U.S.C. 1866(e))

(3) Solicit proposals for and make awards of procurement contracts in the program areas described in § 160f.14.

(20 U.S.C. 1866(d))

§ 160f.5 Duration of projects.

(a) While grant applications may be filed proposing multi-year projects, it is expected that a substantial proportion of projects funded by the Commissioner in any fiscal year will have a project duration of only one year.

(b) Applications proposing multi-year projects must be accompanied by an explanation of the need for multi-year support, an overview of the objectives and activities proposed, and budget estimates to attain these objectives in any proposed subsequent year.

(c) If the application demonstrates to the Commissioner's satisfaction that multi-year support is needed to carry out the proposed project, the Commissioner may, in the initial notification of grant award for the project, indicate an intention to assist the project on an appropriate multi-year basis through continuation grants.

(d) Continuation awards may be made to projects described in paragraph (c) of this section, subject to the availability of funds and to the following provisions:

(1) Continuation applications will not be competitive with applications for new grant awards, but will be competitive with other applications for continuation awards;

(2) The program narrative of a continuation application must contain a detailed plan of operation (consistent with the general scope of work approved at the time of the original grant award), a management plan, and a detailed budget for the following fiscal year. Any changes in staff members, or their duties, in the validation procedures, the evaluation design, or approaches to dissemination must be explained. Requests for modifications in project objectives or the final results, programs, or products must be justified and the basis explained in detail; and

(3) Applications for continuation awards will be reviewed to determine:

(i) If the grantee has complied with the grant terms and conditions, the Act, and any applicable regulation;

(ii) The project's effectiveness to date, or the constructive changes proposed as a result of the ongoing evaluation;

(iii) The extent to which the project is meeting applicable priorities; and

(iv) The extent to which continuation of Federal assistance to the project is in the best interests of educational equity for women.

(20 U.S.C. 1221e-3(a)(1), 1866)

§ 160f.6 Eligible applicants.

The Commissioner may make grants to, or enter into contracts with, public agencies, private nonprofit organizations, or individuals to carry out projects under this part.

(20 U.S.C. 1866(d)(1) and (e))

§ 160f.7 Preapplications.

(a) *General.* (1) The Commissioner may invite prospective applicants for grants under this part in any given fiscal year to submit preapplications in accordance with § 100a.41 of this chapter by publishing a closing date for preapplications in the FEDERAL REGISTER. Either general or small grants, or both, may be included.

(2) (i) The preapplication process is used to avoid the investment of substantial time and effort by applicants in the preparation of applications for projects which might not be responsive to program policy and criteria and therefore have little chance of being funded. This process permits a preliminary review of shortened, simplified preapplications, with advice to applicants as to whether proposed projects are likely to have a chance for funding.

(ii) The preapplication process also may conserve limited resources of the Government by reducing the staff time and consultant funds required to process and review a large number of full applications. When the preapplication process is used, the Government can forecast the approximate number of applications which will be submitted and plan accordingly.

(3) When preapplications are invited, applicants are encouraged to use the process. Preapplications will be reviewed and those identified as having potential to compete will be invited to submit full applications. Applicants that are not invited may also submit full applications at their option. Also, any applicant may submit a full application by the published closing date for full applications without having previously submitted a preapplication. No application would be treated preferentially, and all would be reviewed against the published evaluation criteria.

(b) *State review of local educational agency (LEA) preapplications.* (1) A copy of a preapplication from a local educational agency must be submitted to the State educational agency of the State in which the local educational agency is located, concurrently with the submission of the preapplication to the Commissioner, to provide the State educational agency an opportunity to review and comment on that preapplication. A copy of the transmittal letter to the State agency must be attached to the preapplication.

(2) The Commissioner may establish a cut-off date for submission of comments by State educational agencies on a local educational agency's preapplication. If the Commissioner establishes a cut-off date for submission of comments, failure by a State educational agency to submit comments to the Commissioner within the period specified by the Commissioner for a preapplication shall be deemed a waiver of the State educational agency's opportunity to comment on that preapplication.

(c) *Preapplication requirements.* (1) Preapplications under this part must include a program narrative statement as required by the preapplication forms provided for in § 100a.41 of this chapter. The narrative statement may not exceed three (3) to five (5) pages of readable size print plus attached short and relevant vitae. Lengthy appendices and exhibits will not be reviewed by the Commissioner.

(2) The preapplication must include the following information in the program narrative to permit its review according to the evaluation criteria in paragraph (d). If applicants omit some of the required information, the preapplications will be reviewed and points will be deducted where appropriate. The program narrative of a preapplication must:

(i) *Applicant qualifications.* (A) Include either names and duties of projected staff members or brief job descriptions and required qualifications for the director and other key personnel, as well as methods to be used in recruitment and hiring. Vitae may be attached to the program narrative; and

(B) Include a statement of applicant qualifications in the substantive area of the proposed project and its experience in and commitment to the area of women's educational equity.

(ii) *Need and impact.* (A) Provide a brief description of the project and its approach, the needs addressed, and specific results, programs, or products to be developed by the proposed project;

(B) Indicate the target population which will utilize the results of the project and the possible means for encouraging their use; and

(C) State briefly how the proposed project will contribute to the national capacity to respond to needs in educational equity for women through the development of model programs and or products which are designed and tested to be disseminated nationwide;

(iii) *Plan.* (A) State the specific objectives of the proposed projects.

(B) Provide a brief statement on how the project will be managed; and

(C) If the applicant proposes a project with a duration in excess of one year, include in the program narrative

an explanation of the need for multi-year support, and budget forms must be completed for the first budget period of one year and for the balance of the proposed project.

(3) In the program narrative, applicants may explain any large items which have an impact on the total budget figure.

(d) *Preapplication evaluation criteria.* Preapplications for grants which meet the requirements in paragraph (c)(1) of this section will be evaluated on the basis of the following criteria and weighted according to the indicated points (maximum of 100 points):

(1) *Applicant qualifications.* (i) The extent to which the education and experience of the proposed project director and staff, or, where staff are not named, the job descriptions and required qualifications as well as methods for recruitment and hiring, are related to the programmatic focus of the proposed project (10 points);

(ii) The extent to which the information about the proposed project director and staff evidence knowledge and experience in the area of women's educational equity (10 points);

(iii) The extent to which the applicant has demonstrated experience in the programmatic focus of the proposed project (10 points); and

(iv) The extent to which the applicant has demonstrated experience in and commitment to women's educational equity as evidence in the preapplication (10 points);

(2) *Need and impact.* (i) The degree to which the project addresses a critical need in the area of educational equity for women (10 points);

(ii) The degree to which the project describes a promising approach to provide educational equity for women (10 points);

(iii) The potential quality of the results, programs, or products to be developed and the viability of the method for use by others (10 points); and

(iv) The degree to which the proposed project will contribute to the national capacity to respond to the needs in the area of women's educational equity through the development of model programs or products (10 points);

(3) *Plan of operation.* (i) The extent to which proposed project objectives are clearly stated and capable of being attained and evaluated (5 points); and

(ii) The extent to which the preapplicant's statement on project management indicates potential for quality control (5 points);

(4) *Budget.* The reasonableness of the proposed total budget figure in relation to the accomplishment of the objectives and the relative importance of the needs addressed (10 points).

(20 U.S.C. 1221e-3(a)(1), 1232c(b)(1), 1866 (d)(2) and (e).)

§ 160f.3 Application, proposal, and project requirements.

(a) *Introduction.* A grant or a contract under this part will be awarded only upon a grant application (in accordance with § 100a.40 of this chapter) or a contract proposal submitted to the Commissioner.

(b) *General.* (1) Unsolicited applications or proposals will not be accepted under this part. Grant applications will be accepted for review only if they are filed in response to a notice of closing date published in the FEDERAL REGISTER in accordance with 45 CFR 100a.15 concerning application submissions to the Commissioner.

(2) Lengthy appendices or exhibits attached to applications or proposals will not be reviewed.

(c) *Application requirements.* The requirements set forth in this paragraph cover the information needed by the Commissioner to evaluate an application in accordance with the criteria in § 160f.19. The requirements correspond to the evaluation criteria, and applicants are encouraged, in preparing their applications, to follow this order to facilitate review of the application. An application for a grant under this part must:

(1) *Nature and purpose.* Provide information sufficient to satisfy the Commissioner that the proposed project holds promise of making a substantial contribution toward attaining educational equity for women and will comply with the provisions of § 160f.3;

(2) *Applicant qualifications.* Contain sufficient information about the applicant to enable the Commissioner to determine both its qualifications for receiving an award and its commitment to the provision of educational equity for women, including information about:

(i) The applicant's staffing pattern and experience in the area of educational equity for women, as well as in the programmatic focus of the proposed project;

(ii) The proposed project director and staff, including their education, training, awards, publications, and experience in the areas of educational equity for women and in the programmatic focus of the proposed project, and existing or planned commitments to other projects;

(iii) The extent to which the staff will be representative of the target population and, where applicable, the special population group(s);

(iv) Job descriptions and required qualifications as well as methods of recruitment and hiring, where staff members are not yet named;

(v) Commitment through in kind or direct financial contributions or procedures to use results of projects in ongoing activities of the applicant; and

(vi) Available facilities and other resources for the project;

(3) *Need and impact.* (i) Identify the need to be addressed by the proposed project and supply relevant documentation of the need;

(ii) Specify the nature of the program, product, or final results of the proposed project and the specific target population, as defined in § 160f.2;

(iii) Specify the population group(s), if any, to which the project is related (as described in § 160f.3(d)), demonstrate understanding of the goals, values, and priorities of the group(s), and explain the applicability or limitations on the use of the project's results with other population group(s);

(iv) Document how the project will contribute to the development of model programs and products (capacity building) in the area of educational equity for women, including a description of likely users of the results, programs, and products of the projects, and rough projections of the cost to others of implementing or using the products; and

(v) Describe the procedures and plans for validation by the applicant and possible approaches and strategies for dissemination and utilization of the programs or products developed by the project. The description of validation procedures must set forth criteria consistent with § 160f.1(d) for the selection of participants in validation under the project, the types and numbers of persons expected to be involved, the location(s), time schedules, and specific expectations for the various activities in the validation procedures;

(4) *Plan of operation.* (i) State project objectives with specific outcomes for the project;

(ii) Provide a project evaluation design to measure the extent to which the objectives are accomplished by the project and which indicates the approach, the status of planning, methodology, extent of experience in the development and use of such designs, and need for procuring outside expertise;

(iii) Provide a statement on management which describes the project's decision-making process and its rationale and include a management plan, which references objectives, operational activities, schedules, resources, products, and evaluation;

(iv) Describe a plan for cooperative development of the project with representative groups in the field of the project and in educational equity for women, such as practitioners (both at the policy and implementation levels), theoreticians, potential participants in the validation, and the community; and

(v) Include a detailed budget.

(5) *Relationship to other activities.* Reference is made in § 160f.3(d) to the diverse approaches to the achievement of women's educational equity among various racial, ethnic, socioeconomic, age, and residence groups. If the applicant is carrying out other activites concerned with issues of discrimination, counseling, stereotyping, socialization, or the cultural values and heritage of social, ethnic, regional, or socioeconomic groups, the application must explain the specific relationship of the proposed project to these other activities.

(20 U.S.C. 1866(a)(2).)

(d) *Small grants.* Applications for small grants under § 160f.13 are subject to the applicable requirements in this section, with appropriate consideration to the scope and amount of the proposed award.

(e) *State review of local educational agency (LEA) applications.* (1) The Commissioner will not approve an application submitted by a local educational agency for a grant under this part unless the

State educational agency of the State in which that local educational agency is located has been given an opportunity to review and comment on the application.

(2) A local educational agency must provide a copy of its application to the appropriate State educational agency concurrently with its submission to the Commissioner of the application, which must contain a copy of the transmittal letter to the State agency.

(3) The Commissioner may establish a cut-off date for submission of comments by State educational agencies on local educational agency applications. If the Commissioner establishes a cut-off date for submission of comments, failure by a State educational agency to submit comments to the Commissioner within the period specified by the Commissioner for an application shall be deemed a waiver of the State educational agency's opportunity to comment on that application.

(20 U.S.C. 1866(c).)

(f) *Dissemination of effective materials and programs.* Project awards under this part will be subject to the condition that materials and programs developed and validated under the project shall not be disseminated without review for effectiveness by the Commissioner. Therefore, each application for an award under this part must contain provisions for review of materials and programs prior to dissemination in accordance with this requirement of this paragraph.

(g) *Evaluation.* Project awards under this part will be subject to the condition that the award recipient collect and make available information required by the Commissioner or by the Council, in accordance with the time constraints the Commissioner or Council may designate for purposes of carrying out program evaluation, including that provided for under subsection (f) of the Act.

(h) *Nondiscrimination.* Project awards under this part will be subject to the condition that the grantee or contractor reflect the nondiscrimination provisions set forth in subparagraphs (1) and (2) of § 160f.1(d) in any public announcements about the project relating to employment and participation by persons in the project activities.

(20 U.S.C. 1866.)

§ 160f.9 Award decisions.

Decisions on whether or not to make awards under this part will be made by the Commissioner based upon:

(a) With respect to contracts:

(1) The specific evaluation criteria included in each Request for Proposal (RFP) solicitation; and

(2) The procedures for selection required by the regulations for Procurement Contracts, 41 CFR Chapters 1 and 3 and by Departmental or agency policy.

(b) With respect to grants:

(1) Applicable criteria set forth in § 160f.10;

(2) The need to support projects which collectively address all levels of education; and

(3) The need to support:

(i) A variety of projects which collectively represent to the extent possible the diversity of needs and concerns in educational equity for women;

(ii) A variety of strategies for addressing needs;

(iii) A variety of delivery systems, such as community organizations, public agencies, and private nonprofit organizations, as well as traditional educational institutions; and

(iv) Demographic diversity.

(20 U.S.C. 1866(c)(2).)

§ 160f.10 General criteria for grants.

(a) *General criteria.* Applications for grants which meet the requirements in § 160f.8 will be evaluated on the basis of the following criteria, weighted according to the indicated points (maximum of 250 points):

(1) Applicant qualifications (40 points):

(i) The extent and quality of the applicant's relevant experience in the area of educational equity for women as evidenced in the application (10 points);

(ii) The extent and quality of the applicant's relevant experience in the programmatic focus of the project (10 points);

(iii) The extent to which the staffing pattern of the project and of the applicant agency or organization as summarized in the application reflects evidence of commitment to equity for women, including women from minority groups (15 points);

(iv) The extent to which the qualifications of the project director and staff include demonstrated relevant experience of high quality in the area of educational equity for women (10 points);

(v) The extent to which the qualifications of the project director and staff include demonstrated relevant experience of high quality in the programmatic focus of the project as evidenced in the application (10 points); and

(vi) The extent to which the applicant has the capability to conduct the proposed project, including necessary facilities and resources as evidenced in the application (10 points);

(2) *Need and impact.* (65 points):

(i) The degree to which the proposed project is likely to make a substantial qualitative contribution toward attaining the provision of educational equity for women, and to this end:

(A) Clearly identifies a critical need to be addressed (10 points); and

(B) Specifies the substantive nature of the program, product, or final results which have potential for use as a model throughout the Nation or throughout population groups based on race, ethnic origin, age, socioeconomic status, or residence (10 points);

(ii) The degree to which the applicant, where applicable, shows understanding of the goals, values, and priorities of special population groups, as described in § 160f.3(d), and the degree to which the application demonstrates an appropriate understanding of the applicability or limitations of the use of the results or products of the project with other populations (15 points);

(iii) The extent to which the intended results of the proposed project can be used by others and thus the extent to which the application specifies:

(A) Well-designed validation procedures (10 points); and

(B) Appropriate for dissemination and utilization of the relevant results (10 points); and

(iv) The extent to which the proposed project makes maximum feasible use of known or latest State-of-the-art techniques or dissemination procedures to use all or part of the products or materials developed under the grant in the continuation or initiation of the enterprise (10 points);

(3) Plan of operation (90 points):

The extent to which the application clearly defines and sets forth dates, objectives for the proposed project which are measurable, and a work plan which provides convenient and reasonable or feasible approach to achieve the project objectives (10 points);

(i) The extent to which the applicant clearly presents evidence of the activities through the construction of a project evaluation design which shows measure the extent to which the objectives have been accomplished by the project and could describe an evaluation report containing sufficient data, information, and direction to permit and promote replication (15 points);

(ii) The quality of the management plan (management that describes the project organizational process and its rationale and the quality of the management plan which references objectives, operational activities, schedules (including the amount of time to be spent on the project by the proposed staff members), resources, products, and the project evaluation design) (15 points);

(iii) The extent to which the program to be developed under the project will be developed in cooperation with representative groups in the field of the project and of educational equity for women such as practitioners (both at the policy and implementation levels), theoreticians, potential participants in the validation, and the community (15 points); and

(v) The extent to which the application presents a product that is reasonable in relation to anticipated results and reflects the management design (10 points);

(4) *Geographical distribution of awards.* (20 points): The extent to which approval of an application will contribute to an appropriate geographical distribution of project awards throughout the Nation. The Commissioner will apply this criterion to individual applications after taking into account relevant recommendations of the Council.

(b) *General provisions criteria.* Evaluation criteria set forth in § 100a.26(b) of this chapter will not apply to applications or proposals submitted under this part.

(c) *Small grants.* Applications for small grants will be evaluated in accord-

ance with the criteria specified in paragraph (a) of this section with appropriate consideration given to the scope and amount of the proposed award.

(20 U.S.C. 1856 (d) and (e))

§ 160f.11 [Reserved]

§ 160f.12 General grant awards.

(a) *General.* In awarding new grants under this part (except with respect to small grants described in § 160f.13), the Commissioner may establish priorities by publishing them in an Appendix to this regulation. Whether or not there are priorities, applicants may propose projects in any area authorized by the Act. Applicants may find guidance by examining the six activities which are listed in the Act and quoted in § 160f.4(a).

(b) *Number and size of general grant awards.* (1) Contingent upon the availability of funds, it is expected that 30 to 50 new general grants will be awarded per fiscal year.

(2) It is anticipated that the size of general grant awards will range from about $35,000 to $175,000, depending on the scope of the proposed project. Nothing in this paragraph shall be construed as a limitation on the amount of funds which may be available to a particular grantee.

(20 U.S.C. 1866(d))

§ 160f.13 Small grant awards.

(a) Grants under this section will support the development and implementation of innovative approaches to the attainment of equity in education for women. The innovative approaches need not be original but may include practices that:

(1) Are similar to present practices but are not widely known or used;

(2) Expand on present practices; or

(3) Are new to a specific target population.

(b) Applications for grants under this section may focus on any of the six programmatic areas outlined in § 160f.4(a) or other areas of need in the provision of educational equity for women.

(c) Projects supported under this section must be designed to contribute to the development of model programs and products (capacity building) in the area of educational equity for women as provided in § 160f.3(b), with appropriate consideration to the scope and amount of the grant award. The Commissioner may also use the small grant program for further testing of programs and products developed and validated by previous projects supported under this part when they become available.

(d) Contingent upon the availability of funds, it is expected that 20 to 30 grants will be made under this section per fiscal year for amounts not to exceed $15,000.

(20 U.S.C. 1866(e))

§ 160f.14 Contract activities.

(a) *General.* Contingent upon the availability of funds, contracts will be awarded on the basis of separate solicitations setting forth appropriate specifications in the areas described in paragraph (b) of this section.

(b) *Funding areas.* It is expected that contracts will be awarded in the following areas:

(1) Technical assistance for Title IX of the Education Amendments of 1972 (Pub. L. 92-318);

(2) Operation of a communications network in the field of educational equity for women;

(3) Dissemination of tested programs and products developed under the Act to organizations and agencies which wish to use or adapt them; and

(4) Those other areas of women's educational equity where the Commissioner determines that specific procurements would further the purpose of the Act.

(20 U.S.C. 1866(a)(1))

§ 160f.15 Allowable costs.

(a) *General.* (1) Allowable costs under projects to which funds are awarded pursuant to this part shall be determined in accordance with cost principles set forth in:

(i) Appendix B of subchapter A of this chapter with respect to grants to public agencies;

(ii) Appendix C of subchapter A of this chapter with respect to grants to nonprofit educational institutions;

(iii) Appendix D of subchapter A of this chapter with respect to grants to other nonprofit institutions and individuals; and

(iv) 41 CFR Part 1-15 with respect to contracts.

(2) The costs of nonexpendable personal property with an acquisition cost of $1,000 or more per unit, depreciation or use allowances, automatic data processing, memberships, subscriptions, and professional activities will be allowable if they have been specifically authorized by the Commissioner in the notification of grant award.

(3) Facilities, capital assets, and repairs which materially increase the value or useful life of capital assets generally shall be unallowable under this part, and will be allowed only where specially justified by the applicant and specifically authorized by the Commissioner.

(4) Funds supplied under grants awarded under this paragraph usually will not be available to pay the general costs of overall education, training, or career employment preparation programs. Rather, funds will be available for payment of the incremental costs such as the costs necessary for effective planning, development, evaluation, testing, validation, and in some cases, dissemination, directly related to educational equity for women.

(b) *Long-term training projects.* (1) Grants for training projects designed to provide individual participants with full-time post-baccalaureate training with a duration of at least one academic year may include provision for the payment to:

(i) Grantees of tuition and fees; and

(ii) Participants of stipends, dependency allowances, and other costs, including child care, as the Commissioner may determine to be consistent with prevailing practices under comparable Federal programs.

(2) Provision for payments described in subparagraph (1) of this paragraph will be included in grant award documents at the discretion of the Commissioner, and only when the applicant requests these payments and provides sufficient information and justification in the application to satisfy the Commissioner that the payments would contribute substantially to the realization of the project objective to develop, test, and prepare for dissemination a successful model training program.

(3) If provisions for the payment of tuition and fees are included in a grant pursuant to this paragraph, the grantee may not charge participants in the training program for tuition and fees.

(c) *Payments for participation in validation of materials and programs.* (1) Projects may include in the grant or contract a provision for payments to non-educational participants (including parents, students, and others) and to educational personnel participant (including administrators, counselors, teachers, and others), whose participation is necessary for the validation of the programs or products developed by the project and who are not otherwise compensated for their time while participating.

(2) (i) Payments to non-educational participants may be made at rates not lower than the current Federal minimum wage rate nor higher than the rate set forth for educational personnel in subdivision (ii) of this subparagraph.

(ii) Except as provided under subdivision (iii) of this subparagraph, payments to educational personnel under this paragraph would be at the rate of $30 for each full day of participation up to $150 a week. For partial days involving less than 5 hours of attendance, the payments for this attendance would be at the rate of $6 per hour, subject to the weekly limit of $150.

(iii) Where participating educational personnel are ordinarily paid for their work at a salary scale determined by a collective bargaining agreement in which the minimum hourly rate for any individual is more than $6 per hour, the individual would be compensated at the minimum hourly rate provided for under the collective bargaining agreement.

(3) Where a local educational agency or other educational agency or institution compensates teachers or other educational personnel whom it employs for their time in receiving training or participating in other activities under this paragraph and must also hire a substitute for the participant during the time of that participation, reimbursement may be made under the grant or contract which includes the component to the local educational agency or other educational agency or institution for the costs of hiring the substitute.

(4) No travel or dependency allowances will be paid for participation in any component under this paragraph.

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(5) Participants in any short-term training may receive payments at the same rates as set forth in subparagraph (2) of this paragraph.

(6) Provision for payments described in this paragraph will be included in grant award documents or contracts at the discretion of the Commissioner, and only when the applicant requests these payments and justifies that the payments to the specific classes or groups of recipients to participate in the validation or training are necessary to carry out the program objective.

(d) *Indirect costs.* (1) Except as provided in subparagraphs (2) and (3) of this paragraph, indirect costs will be allowed under projects funded under this part in accordance with the applicable indirect cost rate allowances set out in Appendices B through D of subchapter A of this chapter.

(2) Indirect costs for training grants will be allowed at the lesser of:

(i) The level of indirect costs determined under subparagraph (1) of this paragraph; or

(ii) In grants where the Commissioner approves payments for stipends and dependency allowances under paragraph (b)(1)(ii) of this section, eight percent of the total direct costs, including stipends and dependency allowances.

(3) Indirect costs shall not be allowed under grants to individuals under this part.

(20 U.S.C. 1231c(b), 1232c-1(2).)

[FR Doc. 77-18449 Filed 6-27-77;8:45 am]

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APPENDIX 5-B

PROCESS EVALUATION OF THE WOMEN'S EDUCATIONAL EQUITY ACT PROGRAM

FINAL REPORT

SUBMITTED TO:

NATIONAL ADVISORY COUNCIL ON WOMEN'S
EDUCATIONAL PROGRAMS
OFFICE OF EDUCATION
DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

SUBMITTED BY:

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JULY 1977

CHAPTER I
INTRODUCTION AND OVERVIEW

This is a report of the activities and findings related to Phases I and II of a process evaluation of the Women's Educational Equity Act (WEEA) Program, enacted as Section 408 of the Education Amendments of 1974. Mark Battle Associates is conducting the evaluation under contract to the National Advisory Council on Women's Educational Programs which has a legislatively mandated responsibility to assess the WEEA Program administered by the Women's Program Staff (WPS) in the U.S. Office of Education. The evaluation focuses on the efforts of the Women's Program Staff in selecting and administering grants and contracts under the Act.

The Phase I Report, dated March 18, 1977, was entitled "A Selected Review of Program Development and Project Selection". The purpose of that report was to describe the various processes leading up to and including the selection of projects, including those efforts relating to planning and priority setting for the program. The Phase II report entitled, "Review of the Administration and Implementation of WEEA Grants and Contracts", dated May 27, 1977, presents information about the conduct and monitoring of WEEA grants and contracts and provides case study descriptions of selected projects funded under the Act. This Final Report summarizes the total effort undertaken and the findings and conclusions resulting from contract activities.

CONTEXT OF THE STUDY

It is important to clarify the context of this effort, as it relates to the operational and organizational structures within which the Women's Program Staff functions and to the role of the Council.

First, WPS does not work in isolation; they must conform to various review and reporting procedures required by the Commissioner of Education and the Secretary of HEW, who must approve all policies relating to the WEEA Program. WPS must conform to requirements and policies of the OE Office of

Grants and Contracts and the Federal Procurement Regulations, which cover all grant-giving and contracting activities throughout the Government. In addition, a number of officials and units of OE and HEW are consulted regarding various aspects of WPS program planning and policy development. Due to time and budgetary constraints, none of these individuals were interviewed regarding their relationships and experiences with WPS and the WEEA program.

Second, the recommendations contained in this report are presented in support of the Council's concern for the improvement of educational equity for women. It is realized, that some of the recommendations may not lend themselves to immediate implementation and, in fact, may require policy changes in the Office of Education and/or the Department of HEW. It is pointed out that since the FY 1977 funding cycle is already underway, these recommendations are to be considered for implementation in the FY 1978 planning and funding effort. It must also be stated that inclusion of a recommendation does not mean that WPS has not made any efforts toward improving the procedures examined herein. On the contrary, WPS has made numerous improvements within the limitations of their time and staffing resources. However, the primary focus of this report is to provide guidelines for improvements in procedures and policies directly relating to planning, program development, and review and selection of grants and contracts.

OVERVIEW OF REPORT CONTENTS

Chapter 2 discusses the activities and results of Phase I of the WEEA program process evaluation including:

- Overall program planning and priority-setting procedures
- Grant application and contract proposal solicitation procedures
- Grant and contract proposal review and selection process
- Characteristics of winning and losing grant applications

Chapter 3 presents a discussion of WPS' activities in administration and monitoring of WEEA-funded grants and contracts, reviews the purposes and activities

of three contracts funded in FY 1976 and provides descriptions of nine selected grant projects.

This report attempts to summarize the contents of two extensively detailed reports. For further clarification and in-depth analysis of the points made herein, readers are referred to the total Phase I and Phase II reports.

CHAPTER 2

PHASE I--A SELECTIVE REVIEW OF PROGRAM DEVELOPMENT AND PROJECT SELECTION

There were four major objectives of Phase I of the process evaluation of the WEEA program:

1. To analyze procedures used in developing program and funding priorities and project selection
2. To identify and analyze procedures used to review preapplications and disseminate RFPs and other related materials
3. To investigate procedures used to review and select proposals for funding
4. To review and analyze grant and contract applications and proposals received by the Women's Program Staff and make comparisons between winning and losing proposals

The methodology for achieving these objectives consisted of a variety of activities including:

1. Conducting comprehensive interviews with the Director Assistant Director, and key WPS Staff members regarding issues of concern in the planning and development of the WEEA program and the review and selection of grant projects and contracts
2. Reviewing a wide variety of materials developed by the Women's Program Staff, the Council, other related OE components such as the Grants and Contracts Office, and comments and materials submitted to WPS and the Council on concerns about the WEEA Program.
3. Analyzing the contents of application and preapplication packages distributed to prospective applicants and of the requests for proposals to which contract bidders had to respond

4. Interviewing Regional Office of Education personnel who provided technical assistance during the proposal development periods for preapplications, applications and small grants

5. Analyzing the composition of the WEEA mailing list

6. Interviewing readers of large and small grant proposals and contract proposals to determine their experiences in fiscal year 1976 as reviewers and to obtain suggestions for facilitating and improving the process in FY 1977

7. Extracting and analyzing selected data items from funded proposals to establish a basis upon which to make a comparative assessment of nonfunded proposals and preapplications. (Nonfunded proposals and preapplications were reviewed only by members of the Council Staff; comparisons are made between large and small and funded and nonfunded applications and preapplications

This chapter summarizes the outcomes of these activities in the following sections.

PROGRAM PLANNING AND DEVELOPMENT

This aspect of the evaluation involved a review of the procedures used to develop WEEA Program priorities and project selection criteria in order to determine how the priorities were established, who was involved in establishing them, who was consulted and how their inputs were used. Included in this assessment was an examination of the rationale for setting priorities and establishing criteria for grant projects and for developing the small grant component of the program.

Planning Process

Initial planning for the Women's Educational Equity Act Program was done by the Women's Program Staff with input at various points from representatives of other OE programs, the National Institute of Education and persons affiliated with special interest groups outside of the government. Fiscal year 1975 was devoted primarily to initiation of the WEEA Program. Because no funds were allocated to the WEEA Program in 1975, only supportive planning activities were carried out and it was FY 1976 before WPS could engage in realistic program planning activities. Objectives for fiscal year 1976 were:

1. To provide training modules on sexism in schools

2. To develop model training projects

3. To support innovative approaches to the attainment of equity in the education of women

4. To support the demonstration and validation of educational programs that provide opportunities to girls and women for entrance into careers and positions from which they have been traditionally excluded

5. To disseminate technical assistance materials, particularly with reference to Title IX, Education Amendments of 1972, in such areas as school finance, sexism in schools and counseling

6. To identify and disseminate exemplary projects that focus on equalizing educational opportunities for females

Program Development

Based upon the long- and short-range goals of the WEEA Program, priority areas were established by WPS to provide focus to the development and selection of grant projects. According to the Director of the Women's Program Staff, the priority areas ultimately selected were chosen to allow for the greatest coverage of the six activities authorized by the Act and that, in the first funded year, would address the most general or universal needs in the area of women's educational equity. The priority areas selected were:

Priority A--Modules on Sexism in Education

Priority B--Programs for Educational Leadership

Priotity C--Program Development Related to Career Preparation

Role of the Advisory Council in Planning and Program Development

Presidential appointments to the National Advisory Council on Women's Educational Programs were not made until May 1975. This was nine months after start-up of the WEEA Program; therefore initial planning and budget preparations had been completed. Although the Council immediately began to address the WEEA Program, the proposed regulation, and the proposed priority areas, the

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regulation was already in the OE/HEW clearance process. At various intervals the Council has communicated with both the Commissioner of Education and the Women's Program Staff regarding a number of concerns. However, an examination of these communications provides evidence that the late start-up of the Council severely hampered the incorporation of Council recommendations into WEEA Program plans and priorities. There also are indications that the lines of communication between the Council and the WPS are not clearly defined. This led to the only major recommendation regarding the priority-setting and program development processes which could have implications for future planning cycles.

> Conclusion: Based on MGA's review of Council correspondence and other communications regarding the WEEA Program and based on discussions with WPS staff and Council Staff, a general conclusion was reached regarding the nature of the interrelationships between the two groups. Specifically, WPS does not know what is expected from them in terms of information sharing and feedback which, in turn, sometimes causes delays in Council staff receiving desired information. An example of such feedback is the rationale for breakdown of WEEA Program budget categories. What is needed is a systematic approach to eliciting a two-way exchange of information and providing a forum for discussing issues of mutual concern and getting timely feedback about decisions made by WPS.
>
> Recommendation: It is suggested that procedures be developed to facilitate communications between the Council and WPS. One possibility would be for the Council to compile a list of types of information it will expect from WPS during the fiscal year. Now that one full funding cycle has been completed, such information items can be more readily identified. With a list, WPS will know in advance that an information copy of certain materials should be forwarded to the Council. Details for such an approach to information sharing should be flexible enough to allow for requests for additional information not included on the list and should be agreed upon by both groups.

Continuation of the Program

Upon request from the Office of Legislation, recommendations were first developed in May 1976 by the Women's Program Staff to extend authorization for the Women's Educational Equity Act for five additional years—through 1983. Justification for extending the Act included the observation that the level of

appropriation for the Program required the development of policies that would secure the greatest impact for the least amount of money. The following up WPS' philosophy regarding continuation of the WEEA Program.

> Capacity building was established as a program requirement. Only projects with the express purpose to meet the most commonly faced national needs in the area of educational equity are eligible to receive funds. The characteristics of capacity building include the development of model programs and products that can be adopted for use by large numbers of individuals and institutions. Elements of institutional and individual change are also integral to the strategy. In addition, the dissemination/diffusion of these programs and products is a critical step in the capacity building strategy. Three years is insufficient time for the task. Model building and product development involve validation, field testing, and some initial utilization, all of which precedes dissemination/diffusion efforts. Thus, the need for multi-year products, and multi-year projects coterminous with legislation of three-year duration will leave the dissemination/diffusion task incomplete. Institutional change is universally recognized as requiring time. Commonly accepted estimates place the minimum time at five years.[1]

GRANT APPLICATION AND CONTRACT PROPOSAL DEVELOPMENT PROCESS

This section presents an analysis of the process through which FY 1976 grant applications and preapplications were solicited by the Women's Program Staff and the procedures utilized to disseminate requests for proposals for four of the contracts awarded for that funding period.

WEEA Mailing List

According to the Women's Program Staff, the 1976 mailing list evolved solely from requests from interested parties. In FY 1976, application packets were sent to everyone on the list and, in addition, Regional Office contacts distributed hundreds of application packets. The FY 1976 mailing list was examined by MBA staff to note the type of addressees listed, their sex (if identifiable) and the region where located. There were approximately 5,000 addressees on the 1976 mailing list. Colleges, universities and other

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[1] Legislation Recommendations, Women's Education Equity Act of 1974 P.L. 93-380, Title IV, Section 408, Submitted May 15, 1976, to the Office of Legislation, U.S. Office of Education.

post-secondary institutions comprised the largest percentage (46 percent) on the listing. Local educational agencies and private (nonwomen) organizations each represented approximately nine percent of the listing. Few women's organizations (four percent of the total) were identified on the list and only a small number were readily identifiable as minority organizations.

> Conclusion: Analysis of the mailing list clearly indicates that more outreach should be conducted if the WEEA Program is to obtain a variety of applicants for grant funding. While it is understood that the potential applicant pool is vast, MBA feels some steps should be taken to increase participation among certain groups, especially women's and minority organizations. LEAs were also poorly represented on the mailing list.
>
> Recommendation: It is suggested that WPS, with the assistance of the Council, select certain national-level women's and minority organizations with wide constituencies and request their assistance in the dissemination of information about WEEA through their own communications materials or media. WPS indicated that there was a list of 600 women's groups and press women which might be used for this purpose. In addition, it is suggested that all SEAs might be automatically added to the list. They could, in turn, disseminate the information to LEAs. Further, it would be helpful in the future if Regional Offices could provide lists of recipients of the packets they disseminate so these names can be added to the master WPS mailing list. The Council should explore other ways in which such "piggy-backing" efforts could help produce a more well-rounded body of prospective applicants.

Grant Application Materials

An indepth review was conducted of materials developed by the Women's Program Staff for dissemination to prospective grant applicants. Three packets of materials were designed to fulfill these requirements:

1. Preapplication packets were developed and disseminated to invite prospective applicants for large grants. The stated purpose for utilizing a preapplication process was to provide for a review of a summary of the proposed project to determine eligibility, consistency with program policy and priorities and potential for competing successfully with similar applications. This review would take place before applicants had to incur significant expenses in developing a full proposal.

2. Packets with invitations to submit full applications were sent to preapplicants who were selected as having potential for developing competitive proposals. (Note: Not receiving an invitation did not bar a preapplicant from submitting a full proposal, nor did it bar those who had not submitted a preapplication from developing a full proposal.)

3. Packets were distributed to applicants interested in the small grants program. There was no preapplication phase for these proposals.

Results of this review led to the following:

Conclusion: The regulations and other materials used in the FY 1976 application and preapplication packages were not as informative as they might have been for the different types of applicants--large grants, small grants and preapplications.

Recommendation: We recommend that, for FY 1977, the experiences of FY 1976 be utilized to prepare application materials that will provide more insight into the proposal development processes that are unique to the WEEA program: (1) It is suggested that critical definitions and requirements either be specifically defined in supplementary materials included in the packets or that specific references to the regulation be provided, with section numbers and page numbers. The former suggestion is preferable. (2) It is suggested that the general weaknesses of last year's proposals be pointed out in an updated version of the "Summary of Reviewers Comments" which was provided in the large applications packets in FY 1976. A second specific document of this type should be developed for small grants, since the problems with small grants were not identical in some ways to those experienced with large grants. (3) It should be specifically pointed out to applicants in the letter "that the instructions in the regulations must be followed exactly." Also, the packets should include a document such as the "Reminders on Application Requirements." This should be done for both large and small grants.

Technical Assistance

Technical assistance was provided only in filling out the necessary forms required to accompany the proposal. This assistance was provided through the Regional Offices of Education where a representative had been selected to

serve as the contact person for this purpose. In addition to activities by Regional contacts, WPS staff members spoke to local groups about the Women's Educational Equity Act and its program components; however, no travel was permitted due to budgetary constraints and lack of staff.

The Director of the WPS felt that, overall, assistance relative to forms completion was adequate, but that developmental assistance was not possible. Many of those seeking help were inexperienced in applying for grants and they wanted feedback about what they were proposing.

> Conclusion: We believe that the inability of regional WEEA contacts to provide technical assistance on proposal development was to the disadvantage of the applicant who was knowledgeable about women's education equity, but inexperienced in applying for Federal grant funding. This is a very problematical issue because it appears that resources for more in-depth assistance are not available in the Regional Offices.
>
> Recommendation: Serious consideration needs to be given to development of some methods for providing technical assistance in proposal development to applicants who lack experience in Federal grants procurement procedures. Several possibilities exist, e.g., conducting regional or state-level workshops, preparing a handbook for prospective applicants, providing examples of acceptable proposals to Regional tact persons, enlisting the aid of national organizations and universities. WPS and the Council should consider the validity of the need for such assistance, in conjunction with the seriousness of the intent of the WEEA Program to involve representatives of a variety of groups actively in the Program. The crucial issue, however, is for the Council to assist in identifying ways of obtaining the required funding or staffing resources to provide needed technical assistance.

Requests for Proposals for WEEA Contracts

Four contracts were awarded competitively in the WEEA Program in FY 1976. Each of these was handled in the traditional manner for contract procurements. All competitive procurement actions undertaken by USOE are governed by Federal and HEW Procurement Regulations. A fifth contract was awarded on a non-competitive basis. This contract was to disseminate Title IX materials that had been developed under a FY 1975 contract by WPS funded with Office of Education administration money.

According to the Director of the WPS, the development of the four contract procurements was based both on external and internal needs. One contract provided technical assistance regarding compliance with Title IX of the Education Amendments of 1974. A communications network procurement was designed to fill a gap in the availability of information nationally on women's educational equity. The coordination contract was developed to facilitate communications of grant projects which WPS would be unable to provide. The evaluation contract was also designed to fulfill an internal function and has two objectives: (1) to develop case studies on selected projects funded under WEEAP and (2) to assess project measurement needs in order to locate existing instruments for project use or to develop a minimum number of new instruments to meet project needs. A number of conclusions were developed regarding the contracting process, with recommendations for addressing problem areas:

1. Conclusion: Many of the organizations eligible to participate in contract procurements may not have adequate access to information about requests for proposals. This is because Federal contracting announcements are made in the Commerce Business Daily (CBD) and many eligible contracting organizations may not subscribe to it. There would be no way for such organizations to know that an RFP was available for a WEEA contract.

   Recommendation: It is suggested that brief notices about the availability of WEEA RFPs should be sent to the addressees on the WEEA mailing list. This would alert qualified prospective contractors who do not read the CBD that RFPs are available and provide information on how to obtain them.

2. Conclusion: The contracting process in FY 1976 excluded a large percentage of the potential contractor pool by virtue of the size and complexity of the contracts. WPS has indicated that in FY 1977 the contracts will be even more complex. This means that even fewer organizations will qualify.

   Recommendation: It is suggested that WPS examine its RFPs for FY 1977 very carefully in order to identify portions of contracts which could feasibly be subcontracted to small organizations and to women's organizations. While OE contractors cannot be forced to subcontract, there could be a recommendation that excluded groups be involved. Some agencies include such involvement in their review criteria for appropriate contracts.

3. Conclusion: There has been a display of interest among grant readers and the public regarding disclosure of the equal opportunity practices of prospective grantees and contractors relative to their hiring and promotion of women. There are requirements for grantees to include equal opportunity statements in their applications. However, Federal policy currently inhibits development of any requirements for grantees to reveal the number and rank of their female employees.

   Recommendation: It is recommended that the Council pursue this issue at the policy-making level in the Office of Education and the Department of HEW. One suggestion would be to request an official explanation of why grantees cannot be required to provide information about their employment practices with women.

Problems Encountered by WPS

Until February 1976, staffing was a severe handicap in the grant solicitation process. The Director and Assistant Director were the only professional staff from November 1974 to February 1976. The Director was alone until November 1974. This impacted on all aspects of WEEA Program operations since WPS also has responsibility for the Federal Women's Program and the Women's Action Program of the Office of Education. A review of the staffing allocations for the Office of the Commissioner reveals that WPS has not had staff support commensurate with its responsibilities:

Conclusion: There is evidence which indicates that WPS does not have allocated a number of staff positions that is commensurate with their level of funding. This is based on a comparison with other programs in the Special Projects. For example, in FY 1976, Career Education with a budget of $10 million had 19 positions; Consumer Education with a budget of $3.1 million had seven. The WEEA Program with a budget of $6.2 million also had seven positions.

Recommendation: The Council should explore with the Commissioner the rationale for WPS' allocation of staff positions to carry out the WEEA program as it appears to be inequitable, compared to other programs. This is particularly important in view of OE projections for an increasing workload through FY 1977 and 1978. The Council should advocate for a realistic staffing level for these periods.

PROPOSAL REVIEW AND SELECTION PROCESS

A number of aspects of the process used by WPS to review and select grants and contracts are discussed below.

Selection and Orientation of Proposal Reviewers

There were essentially four separate reading processes involved in the review of FY 1976 WEEA proposals for: (1) preapplications, (2) large grant applications, (3) small grant applications and (4) contracts. The professional experience and background of reviewers were cited by the WPS personnel as important qualifications for readers, and this experience was to be in the priority area, whenever possible. Further criteria for selecting application readers included representation of both sexes, racial and minority groups, different levels of education and geographic locations. The following findings and suggestions are presented:

1. Conclusion: The majority of the grant readers used in FY 1976 had academic and/or professional backgrounds related to educational equity for women and/or minorities. However, in view of concern regarding the entire review and selection process, it seems that some steps might be taken to clarify the basis upon which readers are selected.

   Recommendation: Criteria should be developed by the Women's Program Staff that would measure understanding of and sensitivity to educational equity among grant reviewers.

2. Conclusion: While many of the readers were experienced in many areas of education and educational equity, it is clear from the grant readers' comments that the regulations and key terms were not being interpreted in the same or similar way by large numbers of participants on the various panels. This is particularly true for capacity building.

   Recommendation: Orientation of the readers should be carefully designed to eliminate excessive reinterpretation of key terms, rating criteria, and other provisions of the regulations. This could be accomplished by giving very specific examples, or by providing more guidance on what is not acceptable in a project.

Review Procedures

About 800 preapplications were initially screened by government readers over a seven-day period. Those with the highest scores, about 400, were sent to nongovernment readers who reviewed them over a four-day period. Large grants were simultaneously read by government and nongovernment readers. Readers scored individually on the review forms provided, but occasionally, panelists were permitted to confer to discuss meaning and intent of program areas. After scoring by individuals was completed, the panel coordinator did a staff review of the rating sheets for each proposal, averaging the scores and summarizing the comments made by each reader. When scores for a given proposal varied widely, an additional reading would be made. These procedures were generally followed, with minor variations for each type of application. For contracts, a panel was convened for each RFP, each having a specified due date. Each panel lasted three days, reading from six to 15 proposals for each procurement. The average number of readers on a panel was nine.

Selection of Grant Projects and Contracts

Selection of contracts for WEEA was controlled by Federal and HEW procurement regulations, and proposals were rated based on the specific review criteria published in the applicable RFP. Selection was made of large and small grantees by the Director and Assistant Director of the WPS; final approval was by the Commissioner. Selections had to be justified and substantiated, especially those with the same or similar scores. The ranking system employed used numerical ratings in order to get a tentative slate of prospective grants in each priority atea. These slates consisted of top projects in terms of cumulative scores and in terms of recommendations of the reviewers. OE grants and contracts guidelines permit funding of highly recommended projects in other than absolute rank-order of raw scores. This permitted WPS to select projects to fulfill the award decision criteria. The slate was made up of the projects with the highest scores plus those selected to fill the various gaps.

The WPS Director said that small grants were considered in relation to the large grants before any funding decisions were made so that they could be sure to meet all of the selection criteria. Others helped fill the need

for projects at the various levels of education, in various subject areas, such as physical education, and in areas authorized by the Act.

Four conclusions were reached regarding the review and selection process:

1. Conclusion: Some reviewers instructions indicated that readers were required to make "judgments" about the need for and impact of each proposed project. However, they were told these judgments would have to be made depending on the readers "understanding of the field" and their own point of view. Some interviewers noted that individual perceptions of need for a project had an effect on how the reader would score the rating criteria.

   Recommendation: It is recommended that WPS and/or the Council develop some guidelines for use in judging potential need for and impact of a project in achieving the goal of education equity. This will be particularly important if there are no specified priority areas to be addressed in FY 1977. These guidelines should outline areas of need which have national applicability and upon which capacity building projects would have a widespread impact.

2. Conclusion: Because there have been so many questions about the rating, ranking and selection process, it is clear that many interested parties do not understand how the grant award system works. Even some of the readers were not sure how the grant selection would be accomplished.

   Recommendation: It is suggested that a brief step-by-step procedure be written up to explain how WEEA grants are rated, ranked and selected. Selection criteria should be clearly spelled out, including any special considerations, such as geographical distribution. This could be used to orient readers and to forward in response to general and specific inquiries about how and why selections were made.

3. Conclusion: In the opinion of MBA, the application review criteria are not stated in a manner which permits the assessment of the relative weighting of the various sub-elements of major criteria. To cite an example, "validation, dissemination and utilization" were all lumped under one criteria with one total allowable score. The review form did not provide for consistency in the rating of subelements.

Recommendation: It would be more equitable if each sub-element were assessed separately, with a specified number of allowable points for each. It is recommended that the grant evaluation criteria and the review forms be examined for ways to make ratings more consistent, to present criteria more clearly and to eliminate some of the individual interpretation that occurred in 1976. It is also recommended that small grants be reviewed on a form designed for that purpose and that review criteria be developed which are relevant to the objectives of the small grant program.

4. Conclusion: Grant application and contract readers had a number of suggestions relating to improving procedures and proposals in the FY 1977 Cycle.

   Recommendation: The suggestions should be carefully reviewed by the Council and WPS to determine their feasibility and to identify those which could be implemented in the FY 1977 and 1978 cycles to improve the overall efficiency of the review process.

CHARACTERISTICS OF PREAPPLICATIONS AND PROPOSALS

In order to answer a variety of questions about why certain proposals were awarded grants and others were not, MBA reviewed:

- Grant applications for the 46 large and 21 small funded projects
- Grant applications for 45 large and 60 small non-funded projects
- Seventy (70) preapplications for large grants

The data collection instrument was designed to obtain information on the following areas from all applications and preapplications reviewed:

1. Priority area
2. Applicant type
3. Level of education addressed
4. Target population (s)
5. Sex of target group
6. Location of target group
7. Race/ethnicity of target group

8. Subject focus
9. Approach for strategy
10. Anticipated outcomes
11. Budget and costs
12. Staffing
13. Whether the proposal addressed key criteria such as capacity building and contained key proposal elements such as need and impact
14. Whether there was a project advisory group

Overall, winning applications did have characteristics that set them apart from the losing applications and the preapplications. As a group, preapplications tended to show the greatest number of negative characteristics. Preapplications are supposed to contain a synopsis of the full proposal and the major requirements are the same; many preapplications did not address all of those requirements. The following conclusions relate to findings which resulted in the development of recommendations for consideration by Council.

1. Conclusion: In FY 1976 there was a disproportionate distribution among applications for the three priority areas. Applications tended to concentrate on Priorities A and C together accounting for more than three-fourths of the winning large and small grants.

   Recommendations: It is suggested that some further examination be made of the need for various types of projects. Given that the WEEA Program will not focus on priority areas in FY 1977, it may be important to decide how to allocate the funding proportionately among areas of greatest need.

2. Conclusions: More proposals were received from institutions of higher education, as they represented the largest group for each type of proposal, including winners. The reasons for this have been widely discussed and a number of assumptions have been developed by individuals concerned with this issue. Foremost among these is that these institutions are among the most sophisticated proposal writers and, therefore, can be more competitive. This trend toward funding higher education agencies under WEEA is seen as disadvantageous by some critics, as documented in comments on the regulations and correspondence to Council staff.

   Recommendations: In the event WPS and the Council hope to redirect this trend, some strategies should be developed to (1) obtain a larger percentage of applications from a more

diversified applicant pool. (2) provide assistance to develop the proposal writing skills among other types of apolicants, and/or (3) revise the criteria by which proposals are evaluated. It is also evident that some degree of outreach to certain groups might create a more well-rounded mix of applicant types. Among these are women's groups, local education agencies, minority organizations, and community colleges.

3. Conclusion: A high percentage of large winners (62 percent) had indirect costs of ten percent or less; 58 percent of small winners fell into this category. This is viewed as a positive factor, contributing advantages to the Federal Government in terms of "cost sharing," and producing a cost-effective way of utilizing program funds.

   Recommendations: The Council should endorse the development of criteria for determining the cost effectiveness of projects so that this criteria could be applied in the selection of grantees.

4. Conclusion: Staffs of proposed projects consisted primarily of females and the large majority of project directors were women. Also, the backgrounds of the majority of the directors were related to education and educational equity for women. What is not known, however, is whether the funded organizations are, in fact, providing equal opportunity for women in hiring and promotion.

   Recommendation: As has been suggested by readers and others, it is recommended that WPS investigate ways to ensure that WEEA monies do not support organizations which have no record and no apparent intention of engaging in affirmative action or fair employment practices for women.

5. Conclusion: Large and small winners addressed the key criteria by which grant proposals had to be assessed—capacity building, need and impact, evaluation and plan of operation. Losing proposals, on the other hand, were deficient in each of those areas, particularly the small ones.

   Recommendations: It should be made clearer that all proposals regardless of substance, size or focus, must address all evaluation criteria cited in the RFP. This is particularly true for small grants.

CHAPTER 3

PHASE II — REVIEW OF THE ADMINISTRATION AND IMPLEMENTATION OF WEEA GRANTS AND CONTRACTS

Phase II of the process evaluation of the Women's Educational Equity Act Program focuses on the administration and monitoring of WEEA grants, and contracts and the activities being carried out by the funded projects. The following activities were addressed by this phase of the study:

1. Analyzed grant and contract documentation, such as grant applications, periodic reports and materials and products generated by selected grants
2. Reviewed components of selected contracts funded under the Women's Educational Equity Act
3. Reviewed grant administration procedures employed by WPS, including monitoring activities
4. Conducted site visits to nine grantees and three contractors to gather information about program implementation and evaluation

This chapter: (1) discusses the results of interviews with the Assistant Director of WPS regarding administration and monitoring of WEEA grants and contracts and with two WPS project officers about their monitoring activites; (2) reviews the purpose and activities of three of the WEEA contracts funded in FY1976; and (3) provides summaries of the case studies of selected WEEA grant projects.

WEEA PROGRAM ADMINISTRATION AND MONITORING PROCEDURES

This section describes the nature and scope of procedures used by the Women's Program Staff to administer and monitor its grants and contracts.

WPS Structure and Responsibilities

The Women's Program Staff consists of two program administrators and six grant/contract project officers. Program administrators are primarily responsible for oversight and administration of the program in accordance with the legislation and regulations. This individual is responsible for determining:

1. The adequacy of the applicant's plan to accomplish project objectives
2. the extent of a grantee's compliance with programmatic requirements
3. the quality and degree of grantee's performance through the evaluation of program reports and site visits

On the average, each project officer works with from 12 to 15 grants/contracts which vary in grant funding amount.

Grants Administration and Monitoring Process

The overall grants administration and monitoring process largely involves responding to incoming progress reports, requests for technical and management assistance, modifications in grant programs and general routine inquiries. Contacts with grant programs initiated by the project officer usually relate to an identified problem or a potential problem.

Site visits could only be made to a few grant projects due to the lack of adequate funding for travel. Some of these projects were visited because they were experiencing problems and assistance was needed for resolution; others were two-year programs and had been funded only for the first year. An assessment was needed to determine whether the project is meeting the objectives contained in its approved application and if a second year of funding is warranted.

Technical assistance is provided to the grant projects at two levels. In addition, technical assistance in program implementation and content areas is provided by Educational Testing Service under their coordination contract. Project officers provide technical assistance to grant programs in administrative matters such as completing required forms, and preparing progress reports.

Progress of Grant Projects

On the average, it was felt by WPS that projects were making considerable progress given the fact that grant approvals were late. However, in many cases, the grantees had not made adequate provisions for re-scheduling activities in order to conform to the initial planned schedule. Many grantees were inexperienced and did not realize the problems inherent in the entire funding process. They had no ability to select alternative solutions to problems related to scheduling. Approval of budgets impeded the funding of grantees on schedule and almost all of the grant projects were behind schedule, although this was sometimes due to the fact that schedules were unrealistic. On the other hand, the WPS staff were also to some degree inexperienced in processing the grant applications.

Two problems were cited by the project officers as occurring consistently among grantees:

1. A large number of the grantees have requested modifications in project staffing. In many cases, the staff change was at the project director level.

2. Grantees frequently initiate calls to the project officer when they experience delays in receiving payments from the Office of Education Grants Division.

Few modifications had been requested from grantees to change the scope of project activities; activities are, however, often unofficially altered.

Problems Encountered in the Administration and Monitoring Process

WPS administrators felt that there were three major problems related to the administration and monitoring processes:

1. Funding was not initially available for traveling or conducting on-site monitoring. Therefore the amount of on-site monitoring was limited.

2. Because the WEEA program is new, there was no previous body of knowledge to build on. All problems had to be dealt with almost in a vacuum, there were no previous policies of procedures defined for working with grantees. Thus, the direction provided to grantees was not always the most positive.

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3. The staff size is very small and there are a number of activities which must be implemented in addition to project monitoring. Thus, the amount of time spent on project monitoring is often among projects. Smaller grants receive less monitoring than large grants simply because the magnitude of problems experienced by large grantees is usually greater. Small grantees do not get the attention which they need.

The project officers provided their perspectives on the types of problems experienced. Other problems listed by project officers were:

1. Communication among staff is a major problem which impacts on the monitoring process. Often, the project officers are not made aware of various activities being implemented relative to administering the WEEA Program interface with grant projects.

2. The project officers have a number of administrative duties relating to developing procedures, forms and regulations. There is not enough time for adequate monitoring of projects.

Recommendations for Improving the Grant Administration and Monitoring Process

WPS staff provided the following recommendations for improving the grants administration and monitoring process:

1. There is a need for more staff development activities on procedures for solving problems and a greater consensus on how things should be done.

2. More time should be allotted for outreach work with grant projects. More funds should be allocated for travel earlier during the fiscal year.

3. There is a need for increased staff to assist in writing regulations and developing administrative and monitoring procedures. More of the project officers time should be devoted to monitoring grants.

General Conclusions

MBA acknowledges that many of the limitations placed on monitoring are a result of limited travel funds and heavy workloads of staff and agrees with the general consensus of those interviewed that an increased level of funding to support more outreach monitoring would be desirable.

REVIEW OF SELECTED WEEA CONTRACTS

Each of the three funded contracts reviewed in Phase II plays a role in support of overall administration of the WEEA program. Site visits were conducted to each contractor to meet with Project Directors and obtain information about the activities being conducted to fulfill the scope of work specified in the contract. Other purposes of these visits were to clarify objectives and determine the types of problems they had encountered in carrying out their programs. The following sections briefly describe these contracts; more detailed information can be obtained from the Phase II Report.

PROCESS EVALUATION AND MEASUREMENT INSTRUMENT DEVELOPMENT AMERICAN INSTITUTES FOR RESEARCH PALO ALTO, CALIFORNIA AND WASHINGTON, D. C.

This is a two phase contract to (1) develop case studies of selected WEEA grants and (2) develop pre- and post-measurement instruments.

Approach

Part I of the evaluation contract will run for 39 months, during which time the Washington office of AIR will be developing case studies for 13 grant projects. The evaluation model will permit an in-depth look at how the projects function over time. Six elements will be examined: (1) program inputs, process variables, immediate outcomes, desiring conditions, intermediate outcomes and program impact.

Results of the case studies are expected to assist in future grant project selection to identify problem areas in development and implementation, to document budgeting and scheduling pitfalls and to point out areas of infeasibility. In addition AIR will do a follow-up to determine the effectiveness dissemenation techniques and of the usefulness of the products developed by the grant projects.

Part II will run for one year. This phase of the contract is run out of the California office of AIR. Activities involve identifying the measurement needs of multi-year grantees and searching for existing instruments which would measure common project objectives. For those needs not fulfilled by existing instruments, AIR will undertake some instrument development efforts. Part II is also to serve as a source of information and guidance to all WEEA grantees regarding their instrumentation needs.

Funding

For 39 months, this contract is funded for $251,000.

Assessment

Every indication is that Part I is proceeding according to plan and basically on schedule. There were no interim products to be reviewed, except the case study design. The first set of case study reports will not be ready until the end of the first year. Relative to Part II, one of the Project Directors visited by MBA had been contacted during the search phase for evaluation instruments. This individual expressed concern over the potential usefulness of such instruments for projects having highly unique evaluation requirements. Another Project Director claimed to be confused about the purpose and intent of this effort. This is supportive of the problem cited that grant Project Directors did not appear to understand that AIR was supposed to serve as a resource for information regarding measurement and instrumentation.

PROJECT COORDINATION CONTRACT
EDUCATIONAL TESTING SERVICE
PRINCETON, NEW JERSEY

The purpose of this contract is "to facilitate communication among grant projects and to provide training opportunities for project personnel in areas of mutual interest."

Approach

Over one-year ETS has conducted two national conferences and four regional conferences to provide opportunities for WEEA grantees to exchange information, receive guidance on special problem areas and to meet with WPS staff about their projects. Additional activities proposed were publication of a quarterly newsletter developing an information exchange network with a telephone "hotline" and preparation of some publications focusing on special interest areas.

ETS is not providing any technical assistance, per se, to grant projects, however, their function has been to provide a forum where Project Directors could share ideas and learn from each other.

Funding

For this one-year contract, $150,000 in funding was granted. ETS provided some in-kind support relative to the workshops and there has been some use of ETS personnel who did not charge their time to the project.

Assessment

Although ETS had some problems with the first conference, these seemed to have been resolved at the regional and spring national conferences. Several grant personnel who participated in the MBA case studies commented about the usefulness and effectiveness of this contract and some made suggestions to improve the approach used for coordination contracts in subsequent years.

COMMUNICATIONS NETWORK
DESIGN CONTRACT
PRINCETON, NEW JERSEY

This contract was awarded to develop a communications network by "identifying user needs in the area of educational equity for women and assessing the potential effectiveness of various network designs." One of these designs will be selected by WPS and in 1977 a second contract will be awarded to implement and operate the WEEA Communications Network.

Approach

There are three phases of the study.

Phase 1: Needs Assessment: To identify the information needs and preferences of various users and user groups and gather ideas and comments through interviews and meetings with a broad range of people, e.g., subject-matter specialists in psychology, sociology, education, and other related disciplines, researchers and practitioners in all areas of education, and information-processing technicians.

Phase 2: Evaluating Alternative Approaches: To identify and evaluate alternative approaches for accomplishing the tasks of the Communications Network, determine the resource requirements for each, and evaluate each approach in terms of cost effectiveness. ETS will recommend to the Office of Education the most feasible approaches; OE will then study the recommendations and select the most suitable network for the available funds.

Phase 3: System Design: To produce the materials required to operate the Communications Network, including an operating manual, policy manual, and computer systems design, develop a thesaurus of subject terms describing the materials in the Network; and identify, acquire, index, and prepare abstracts of materials to be included in the Network's data base.

Funding

For 17 months, this contract has $450,000 in WEEA funding.

Assessment

A number of informal conversations have been held on the subject of this contract and most of the persons to whom MBA staff have talked have not understood either the nature of the contract or the need for it. The most commonly expressed concern is whether this network is a duplication of efforts being made by the ERIC system. Another point of discussion evolved around the fact that ETS was not perceived to have been historically involved in a positive way in promoting the interests of women. A third area of concern has been the size of the contract, with many interested persons questioning whether $450,000 was really necessary to design the network. MBA is not in a position to assess the validity of the need to develop a communications network, nor can we assess whether the size of the contract is appropriate to the tasks to be conducted. However, it is suggested that due to present and possible future reaction to the network, the Council should consider following this contract more closely until completion of the first phase.

CASE STUDIES OF SELECTED WEEA GRANT PROJECTS

A sample of nine grant projects was selected to participate in site visits conducted by MBA staff. The purpose of these site visits was to gather first-hand information from the Project Director and key staff regarding the programs being carried out by these grantees. This information related to all aspects of these project efforts in an attempt to clarify the focus and direction of their activities as they related to the objectives of the Women's Educational Equity Act Program. In addition to the site visits, MBA reviewed grant applications, periodic reports, products being developed by the projects, and various other documentation. Using the data collected on the site visits and the information contained in the project documentation, detailed case studies were developed and presented in the Phase II report. These case studies are summarized in the following synopses; only general descriptions are provided on each grant project, along with a brief assessment of its progress. Further information about project objectives, anticipated outcomes, evaluation dissemination, problem areas, and other elements can be reviewed in the Phase II report.

OPPORTUNITIES INDUSTRIALIZATION CENTER
PROVIDENCE, RHODE ISLAND

Increased opportunities in vocational education for adult women is the focus of this WEEA grant which explicitly focuses on identification of institutional and organizational factors which contribute to inequity in employment and training programs and on development of approaches to reduce sexim. The project is directed toward changing operational procedures, staff attitudes and practices in OIC.

Need and Impact

A "comprehensive" training and employment approach to vocational education has demonstrated a capability to move adults from unemployment to skilled work, however, this approach has often tended to either exclude women from receiving services or to increase the over-concentration of women in low-skill service occupations. Some specific areas were identified by OIC where discrimination tends to diminish the educational opportunities for women in a comprehensive employment and training program including:

-- Recruitment activities

-- Trainee orientation and assessment practices

-- Vocational counseling practices

-- Pre-vocational training curricula

-- Vocational skills training curriculum

-- Job development and placement activities

-- Planning and management practices based on outdated assumptions as to the capabilities and employment preferences of women.

Impact from this project could have a significant ripple effect. Through analysis and reform of their systems and procedures. OIC will create a model which can be applied by similar agencies which provide comprehensive training services.

Approach and Strategies

Basically, two strategies are being used to achieve the objectives of this project: changing institutional practices and changing staff attitudes and practices. The approaches are multiple and include: operational and procedural analysis research, literature review and materials development; curriculum development; and staff development and training. All 135 employees of OIC will participate in work-

shops which will orient staff to the findings of the operational analyses and provide them with procedures, materials and curricula for use in connection with their job functions.

Funding

For this one-year grant $75,000 of WEEA funds have been allocated. OIC is contributing office space, use of administrative time and use of the planning staff.

Assessment

Model workshops such as these being developed by OIC of Rhode Island could make a significant contribution to development of alternative behaviors among administrators, counselors and instructors who work with and guide women into and along the traditional paths to vocational training and employment. Use of the products of the grant by OICs alone could have a sizeable impact of equity in vocational education. The potential for adaptability for use by other vocational training and education institutions creates a positive implication for capacity building.

STOCKTON UNIFIED SCHOOL
DISTRICT AND STOCKTON
WOMEN'S CENTER
STOCKTON, CALIFORNIA

This project represents a unique amalgamation--a joint venture between a local education agency and a women's organization. The goal of this project is to design, implement and package in-service training workshops for teachers, administrators, aides and other in-school personnel who interact with children in pre-school through 12th grade.

Need and Impact

There is evidence that sex-role stereotyping has adverse effects on children of both sexes and that breaking down sex-role will "give girls a chance to explore and maximize their potential in traditionally 'female' as well as in 'male domains" and will increase options that exist for males so that children of both sexes may freely choose. Women teachers are "both victims and prepetrators of sexism." Sensitizing teachers and other in-school personnel to problems of sexism and sex-role sterotyping will both modify teachers' attitudes and have a significant impact in reducing sex seterotyping in the classroom and sex bias in the school system.

Approach and Strategies

The basic approach is to conduct a 10-week workshop for school personnel as one of the in-service training options offered by the school district. In general, the workshop would explore "affective and cognitive approaches to sexism in educational and sex-role sterotyping" through weekly two-hour sessions. After five weeks of application of what they learned, the trainees would be visited by project staff to assess progress in the participants' behavioral objectives. Six weeks after completion of the training sessions, a weekend retreat was held to assess progress in implementation of plan, to share concerns, and to revise behavioral objectives where necessary.

Using the in-service training system of the school district was viewed by the grantee as a means of diminishing prospective reticence on the part of potential participants regarding the program which advocates "radical social change." Another strategy was to actually hold the training outside of the schools at the Stockton Women's Center in order to create a special environment which would optimize potential for change.

Funding

This project is funded for one year at $14,088. There are no other sources of funding, however, the school district and the Women's Center are both contributing in-kind resources.

Assessment

The project being conducted by the Stockton Unified School District is extremely well-planned and is functioning at an optimal level of proficiency. Members of the Stockton Women's Center who are participating in the effort are sensitive and articulate regarding the need to enhance the capacity of the sytem to provide educational equity for females. Products being developed appear to have good prospects for easy replicability and wide dissemintation. The implications for national capacity building are very positive.

WISCONSIN BOARD OF VOCATIONAL, TECHNICAL AND ADULT EDUCATION
MADISON, WISCONSIN

This project is directed toward creating a model program for placing women in decision-making and policy-setting positions within vocational education systems. Emphasis is on developing the talents of women already employed in a vocational educational system and encouraging them to seek administrative positions. The purpose of this project is to develop a structure for advancing women through the ranks to top leadership roles thus enabling them to compete. The model being developed by the project will propose various activities to encourage and influence women to seek administrative positions and will provide a concentrated program on sex bias relating to all elements in a vocational educational system.

Need and Impact

National baseline data on vocational education is highly comparable to the data from Wisconsin's system, including data on sex or program enrollments, teachers by subject area, and State Advisory Council membership. For example, half of the students in Wisconsin's vocational education system are female, yet their representation in leadership positions is minimal. Leadership in vocational education both on a national level and in the state of Wisconsin is male-dominated. This grant project was developed on the premise that there is a need for more well-trained and sensitive women in leadership positions across the vocational education spectrum.

Approaches and Strategies

The model has three components, each of which are self-contained in that one component does not depend on the completion of activities in another component. It is designed to produce maximum results when all activities are successfully completed and reinforcing one another; however, the model does permit flexibility in that it can be adopted wholly or in part for working under local conditions, on a statewide basis or on a school district level. The components are:

Component I — The General Education Process
Identifying individuals to participate in education sessions regarding the need to have sex equity in all aspects of the vocational education and enlisting the support of persons and groups desiring to promote sex equity. Conducting workshops and other educational sessions. Introducing into the teacher certification process a requirement for a course in Human Relations, the curriculum for which will be developed by the project.

Component II — The Specific Education Process
Identifying women in the vocational education system who seek leadership positions at various levels, and, at the same time developing a taxonomy

of the leadership positions in the vocational education system. A comparison will be made of credentials of individual women against requirements for the positions in which they express interest and training programs will be formulated.

Component III-- Talent Pool and Placement Services
Names of women who meet job requirements will go into a Talent Pool and they will be notified of any openings of positions in the entire vocational education system for which they are qualified.

Funding

The project grant proposal was designed for a two year project. However, funding has been granted for the first year at $77,377.00. Local matching funds total $20,825.00 and additional in-kind contributions by the Department of Vocational Education include office space and volunteer assistance for library services.

Assessment

It was evident that the project was not having the types of impacts which were originally anticipated. The project was experiencing a number of problems which have impeded its progress and had a negative influence on the amount of impact which can be made through the State Agency as well as on its ability to implement activities which involved cooperation from State Agency Administration. A large degree of frustration was expressed on the site visit related to the variety of problems which they are experiencing. In summary, the project appeared to be experiencing difficulties in its overall implementation of activities as specified in the grant proposal. Additionally, in the opinions of the Co-Directors, the project was originally not well conceptualized and planned.

WOMEN'S ACTION ALLIANCE, INC.
NEW YORK, NEW YORK

The Women's Action Alliance is a nonprofit organization which has as a primary objective the improvement of the status of women. The production of two films and manuals is the entire focus of this grant, as prior research and needs assessment had already been accomplished through previous activities of the Non-Sexist Child Development Project.

Need and Impact

Staff conducted observations in about 30 childcare centers around the country to get corroboration of the problem areas relating to sex-stereotyping at the pre-school level. A questionnaire was sent to over 200 teacher training institutions with departments of early childhood education requesting information about courses dealing with sexism and racism. It was found that most of the institutions did not address the issue of sexism in child development courses. Thus, the need was established for courses and materials which could develop awareness of the damaging effects of sex-role stereotyping.

Approaches and Strategies

The film on teachers will focus on classroom exercises which point up conscious and unconscious sexist attitudes and behaviors of both teachers and children. It will also provide concrete suggestions on how to encourage both to break out of sex-stereotyped patterns. The film for parents will concentrate on the home, family and nearby community. It, too, will examine conscious and unconscious sexist attitudes and provide practical suggestions for change.

For the teacher film, six schools in four geographic areas were used to shoot "on location," which helped to get a regional and racial mix. Both staff and "actors" were integrated racially and sexually. Actual, unrehearsed and unscripted classroom scenes were shot and translated into film vignettes. None of the scenes were pre-planned. For the parent film, scenes were shot in homes at the four locations. Each film will be in color and is expected to last 23 to 27 minutes.

The two films are intended to be complementary--filming scenes which stress the relationships between incidents that occur both in the home and at school. The manuals accompanying each film will be designed for use in conjunction with the film, which will serve as "catalysts" to begin the process of awareness for both teachers and parents. Leadership questions will be designed to ensure discussion of relevant issues following the viewing. Each manual will also include a detailed course structure for follow-up over several weeks.

Funding

For the one-year grant, the Alliance is receiving $116,000, which is used for the direct costs associated with film production and development of the manuals, evaluation and validation, and travel expenses. Salaries for the Director and staff are provided by the Alliance, along with fringe benefits, overhead and additional travel funds. The total in-kind contribution is over $8,000.

Assessment

Having had several years of experience in developing related non-sexist child development products, the Women's Action Alliance appears well-suited to carry out this effort. Project documentation indicated that activities were being conducted according to plan and on schedule. Outcomes of this grant project are likely to promote widespread interest among early childhood-related institutions and organizations.

YOUNG WOMEN'S CHRISTIAN ASSOCIATION
BATON ROUGE, LOUISIANA

This WEEA grant focuses on "career empowerment" for teenage women through Y-Teen Clubs in individual junior and senior high schools in East Baton Rouge in an effort to reduce and eliminate disparities in teen counseling, training and career development.

Need and Impact

The need for this project was generated from a survey taken of teenage women in the area. The respondents in this survey indicated that they needed assistance in locating job opportunities and advanced educational opportunities relating to job preparation. The results of the project are expected to have national impact in school systems having Y-Teen Clubs across the country. The specific long- and short-range impacts sought by the project are changes in the attitudes of young women regarding their career options, changes in the curricula within the schools to include career education, and the provision of counseling and guidance within the school systems on career education for women.

Approach and Strategies

Five major tasks or strategies are being used to implement the project:

(1) orientation of YWCA board and staff

(2) training of Y-Teen Club advisors (teachers)

(3) development of a training manual;

(4) presentation of public forums on sexism and sex-role socialization in career preparation of students

(5) coordination with related agencies and programs for replication and update or revision of project strategies

The major product, the training manual, will be developed for use by Y-Teen Clubs and school systems in training women in career and job development. The manual will address the following:

— Identification of the problems to be addressed in the manual through a needs assessment of 100 students

— Application and testing of various strategies for addressing the problems identified

— Assessment of which strategies work best

Funding

The project's level of WEEA grant funding is $14,966.00 for a period of one year. The local YWCA provides office space and equipment as an in-kind contribution.

Assessment

The overall design of the project appears to have been well conceptualized and addresses a critical need in the establishment of educational equity for women. Likewise, the mechanisms which have been established for implementing the project and disseminating the final product seem highly appropriate for assuring a quality product and maximizing the overall impact of the project. However, work seems to be progressing at a slow rate due to the late start, lack of adequate staff size and lack of a plan of activities required for completing major tasks. A clearly defined, step-by-step approach to accomplishing major activities would serve to optimize utilization of the limited staff size and staff time allocated to the project.

MASSACHUSETTS STATE DEPARTMENT
OF EDUCATION
BOSTON, MASSACHUSETTS

This project is called Student Commitment to Educational Equity-Project SCEE and is the only WEEA-funded grantee that is working directly with students. The focus of the project is to eliminate sex discimination, sex-role stereotyping and sex-role socialization in educational institutions through exisiting secondary-level student organizational mechanisms in the state. Two laws--one federal and one state--are being used as the basis upon which to determine whether policies and programs are, in fact, discriminatory. These are Title IX of the Education Amendments of 1972 and Chapter 622 of the Acts of 1971, a Commonwealth of Massachusetts law. Using the legal framework of these two statutes, the Bureau of Student Services is developing and testing several models of student leadership and participation in the monitoring of sex discriminatory policies, practices and materials in secondary schools in the Commonwalth.

Need and Impact

Curriculum and educational materials that are currently in use provide students with stereotyped views of women which imply sexual inferiority. School policy is often discriminatory, preventing the participation of students in courses and activities traditionally reserved for one sex. Of particular concern was discrimination against females in vocational programs, shop courses and some athletic programs and in guidance services which often "track" students into career paths based on sex-role stereotypes. Students need to know more about their rights and need training in how to identify and address sex discrimination and stereotyping.

Approach and Strategies

Project efforts are being carried out in two regions of the state through Regional Education Centers and in Greater Boston. The following activities are being conducted:

1. Workshops for students in identifying and understanding sex discrimination
2. Workshops to develop leadership skills among students
3. Workshops for school personnel in working collaboratively with students
4. Implementation of six programs of student leadership in collaboration with adults
5. Provision of resources and facilities to participating student service centers

Funding

For the one-year period of the grant, Project SCEE is funded for $125,000. There are no other sources of funding, however, the level of in-kind resources provided by the State Department of Education is estimated at $200,000.

Assessment

Project SCEE was functioning very well and much progress had been made during the relatively short time the project had been fully implemented. There is every indication that the project will continue to proceed as planned and will accomplish its major goals and objectives. The results of this unique project should generate much interest among education agencies which are seeking model approaches to student involvement in educational equity.

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GEORGIA STATE UNIVERSITY
ATLANTA, GEORGIA

The purpose of this project is to develop and validate seven instructional units or modules on sex-role stereotyping in seven education subject areas for use by teacher educators. These modules will have a distribution cost under $5.00 and will include audiotapes, transparency masters and handouts.

Needs and Impact

Educators are becoming aware of sex-role stereotyping as a problem but do not know how to resolve it. Few materials have been developed and existing packages are considered too general and too expensive. Inexpensive, content-specific instructional units are needed which can be used in subject area teacher education courses. Impact of these inexpensive subject area-related modules is expected to be nationwide.

Approaches and Strategies

The project was developed around the assumption that the most effective method of reaching pre- and in-service teachers is to have information on sex-roles and sex stereotyping incorporated in all required education courses. Both current and prospective teachers would be made aware, not just of the effects of sex-role stereotyping in general, but the effects as they apply to specific disciplines and content areas. The incorporation of units on sex-role stereotyping in each required education course is expected to encourage students to view the elimination of sex stereotyping as an integral part of education rather than as an afterthought. The instructional units will be designed so that they can be "plugged in" to an already existing course. Each unit will concentrate on sex stereotyping as it pertains to a specific content area yet free of prerequisites so that they can be used whenever an individual instructor feels the time is appropriate or available. The entire format of the units and the low cost have been planned to make the units as easy to use as possible.

Funding

The project has a grant of $86,327 for one year. They do not receive any other direct funding, but the University provides free access to computer facilities and provides free consultation with other department staff.

Assessment

The project being implemented by Georgia State University appears well conceptualized, well planned and is making consistent progress toward accomplishing its objectives. Overall, the project appears well managed and is on schedule in developing the instructional units. Plans for validation of the units and dissemination are clearly defined and seem appropriate for achieving maximum impact.

NEW MEXICO COMMISSION ON THE STATUS OF WOMEN
ALBUQUERQUE, NEW MEXICO

This project is directed toward development of a model program to assist the entry or re-entry of mature women (age 25-60) into the work force through employment awareness training. Training provided will teach women basic approaches to finding work and will develop decision-making skills required to conduct personal career planning. The project is being carried out in the states of New Mexico, Arizona, Utah and Colorado and focus on a diverse target population including rural and urban women of several racial/ethnic groups. Alliances have been formed between the New Mexico Commission on the Status of Women (NMCSW) and one organization in each of the other states.

Need and Impact

Traditionally women, drop in and out of the labor force, which adversely affects their employability and earning capacity, particularly as their age increases. Minority women have even greater problems due to the additional factors of racial and cultural discrimination and more erratic work records than women in general. The specific long- and short-range problems addressed by the project are:

1. Women entering the labor force need information and counseling regarding the labor market and how to find a job.

2. Women do not consider their working in terms of a career, therefore, they do not recognize their choices for long-range career planning.

3. Education agencies are not ready for women who need such help; these agencies need training in how to assist them.

4. Small communities (such as in the rural target areas) need to find new ways of meeting educational needs.

The long-range impact of this project is expected to result from the educational system making a special effort to meet the particular needs of women.

Approach and Strategies

The approach employed by this project is to train instuctors in a four-state area to utilize methods and materials in a manual provided by the project. These instructors will, in turn, train women in making career decisions. A major strategy of the project is to involve a broad spectrum of organizations, such as the USDA Cooperative Extension, colleges and universities, state employment agencies and community organizations which will provide the instructors who participate in the training. The major product will be the manual which will be written to the 10th grade level of reading and comprehension skills.

Exercises will be geared both to women who have not finished high school and those who are seeking professional work; many exercise do not require the participants to write. Several options will be offered in terms of course content and length, ranging from one-day workshops to six-week or longer courses.

Funding

For one year, this project has $84,820 in WEEA funding. In-kind contributions from the New Mexico Commission on the Status of Women for personnel and equipment total $4,339.

Assessment

There is significant potential in this project for capacity building in areas with similar racial and ethnic mixtures. Futhermore, the problems addressed by the project are pervasive and the materials and techniques should be readily usable in most areas of the country. A draft of the training manual was provided for review. This document is very professional and should be an effective tool in carrying out the objectives of this study. Because of the widespread testing of this manual and the cultural diversity of the training, the finalized product should exemplify the best approaches to reaching and instructing the targeted groups of women who will benefit from the training program.

MAINE PUBLIC BROADCASTING NETWORK
UNIVERSITY OF MAINE
ORONO, MAINE

"Educational Equity Through Media" is the title of this WEEA grant project, the purpose of which is to reach, through the media of television, a group of women who are currently outside the educational mainstream. Thirteen TV programs, and 10 one-minute public service announcements will expose viewers to women engaged in interesting and novel, conventional and unconventional pursuits and will inform them about initiatives and skills needed to engage in these and other activities which will make their lives more satisfying.

Need and Impact

Preliminary research indicated that there were many economic and attitudinal problems which inhibited women in Maine from participating in educational opportunities. A high percentage of women complete high school but few go on to any type of higher educationa. Thus, the project is addressing discriminatory practices in educational institutions and environments and is promoting nontraditional forms of informal education which can take place in the home and on the job. It is hoped that the project will provide inspiration to Maine women to pursue educational opportunities and this, in turn, will impact upon the responsiveness of the educational system to their needs.

Approach and Strategies

These are four basic activities to be conducted: (1) produce 13 half-hour television program; (2) produce 10 30- and 60 second public service announcements; (3) broadcast and evaluate the production; and (4) disseminate information regarding these activities, which will be carried out in four phases:

Research and Development: Activities which precede production, such as data collection, establishment of liaison in the State and region, planning and production of a pilot program.

Production: Conversion of research and other preparation activity into a program series, including film production editing and final assembly into an air-ready program.

Broadcast and Promotion: Programs will be telecast on statewide public broadcasting stations and on three commercial stations. Promotion will be conducted simulteanously during the life of the program series.

Education and Dissemination: This involves assessment of the effectiveness of programs and appropriateness of the entire project as a model for replication, and development of a report with photographic documentation for dissemination.

Funding

Educational Equity Through Media received $125,000 in funding for one year. There are no other sources of funding. The Maine Public Broadcast Network contributes all costs in excess of these specifically identified in the project budget.

Assessment

MBA concluded from its interview with the Project Director that they are making a sincere effort to carry out the project in a manner which is consistent with the objectives of the WEEA program. Their story outlines had to be revised because they were not adequately focused on educational equity. These have since been accepted by WPS and they are trying to arrive at a solution to the requirement for trips to Washington to get films approved, which is not provided for in their budget. This project could serve as a model which could have wide applicability for reaching women who have, for a diverse range of reasons, halted their educational development.

APPENDIX 6-A

PART 190b—PROGRAM FOR THE GIFTED AND TALENTED

Assistance to Special Education Projects

Pursuant to Section 404 of Pub. L. 93-380 (20 U.S.C. 1863, "section 404"), a notice of proposed rulemaking was published in the FEDERAL REGISTER on July 22, 1975 (40 F.R. 30962-30970) setting forth a proposed regulation to add a new Part 190b to title 45 of the Code of Federal Regulations.

The proposed regulation set forth proposed rules and criteria for governing the award of grants and contracts by the Commissioner of Education in order to provide Federal assistance for programs and projects to meet the special educational needs of the gifted and talented.

Interested persons were given thirty (30) days in which to submit written comments, suggestions, or objections regarding the proposed regulation. Approximately 30 letters or written communications were received setting out approximately 65 separate comments. In addition to written comments, oral comments were received from participants in a series of five regional meetings held throughout the country during September for the purpose of explaining the operation of the program. Over 200 persons attended these meetings. Approximately 60 comments were directed to the text of the regulation during these meetings. Substantive comments on the regulation have been carefully reviewed by the Commissioner and are responded to in this preamble. Summaries of the comments on the proposed regulation are set forth below on a section by section basis, together with responses explaining the changes that have been made in the final regulation engendered by the comment, or indicating why no changes were deemed appropriate. A genuine effort has been made to be fully responsive to the comments, in keeping with the Commissioner's understanding of the program purpose and his commitment to use Federal resources available for the program in a manner which will maximize that purpose.

Many of the comments raised questions as to the intended meaning of provisions in the proposed regulation and indicated a need for further clarification. The Commissioner has sought to provide additional clarification or interpretation in response to these questions

and comments in the preamble as well as in the body of the regulation. Prospective applicants and others interested in the program are therefore invited to review the preamble carefully.

A. *Summary.* 1. *Purpose of the regulation.* Section 404 of Pub. L. 93-380 establishes a new program of assistance for programs and projects to meet the special educational needs of gifted and talented children and youth. The purpose of this regulation, which constitutes a new part 160b in title 45 of the Code of Federal Regulations, is to establish basic rules for the conduct of this new Federal program. The statute is silent on certain matters which the applicant must know in order to compete for an award under the program, including activities for which funds will be awarded, application and proposal requirements, and the criteria and standards by which applications and proposals will be judged. The regulation sets forth rules regarding these matters for the guidance of applicants and the general public.

2. *Major Provisions.* The following paragraphs summarize major provisions of the regulation.

a. *Definition of gifted and talented.* Section 160b.2 of the regulation contains the definition of gifted and talented which will be used in the administration of the program. "Gifted and talented" are defined as children or youth, who have been identified at the preschool, elementary, or secondary level as (1) possessing demonstrated or potential intellectual, creative, or specific academic abilities, or leadership capability, or talent in the performing or visual arts, and (2) needing differentiated education or services beyond those being provided by the regular school system to the average student in order to realize these potentialities. This definition is not set forth in the Act but is derived from the Report on the Gifted and Talented made by the U.S. Commissioner of Education to Congress in 1971, and published by the Senate Committee on Labor and Public Welfare in March 1972 as a Committee Print (pp. 2 and 10). The definition was formulated in compliance with a statutory mandate set out in section 806 of Pub. L. 91-230, requiring the Commissioner to define gifted and talented children in accordance with objective criteria and to report to Congress on the need of special education programs to assist them. Section 404 was enacted to meet the needs outlined in that report (Sen. Rept. No. 93-763 at 71).

b. *Identification and assessment.* Included in Subpart A of the regulation is section 160b.3 which sets forth general requirements which all gifted and talented programs assisted under the Act must meet. Among these are provisions relating to procedures for identification and assessment of gifted and talented children and youth by the applicant serving them. As revised, the regulation provides that these procedures must be comprehensive enough to identify and assess all children who might be included in the category of gifted and talented in the area to be served by the program or project. Possible categories for which programs and projects for the gifted and talented might be designed embrace one or more such areas as: general intellectual ability; specific academic aptitude; creative or productive thinking; leadership ability; talent in visual or performing arts; or superior psychomotor ability. Identification of students within such a category must be accomplished by multiple methods of identification. These methods include, but are not limited to, teacher nominations, peer nominations, intelligence tests, and achievement tests. As an example, where a local educational agency wishes to provide a program to meet the special educational needs of students talented in the visual and performing arts, the school district must use procedures designed to identify all gifted and talented children in that category in the area to be served by the program or project through the use of appropriate multiple means of identification such as those suggested in § 160b.3(b)(1)(ii). Children who might be identified as gifted or talented for purposes of a program or project having a different focus, e.g. mathematical ability, need not be included in the scope of the procedures employed for identifying those talented in the visual or performing arts.

c. *Differentiated education.* Section 160b.3(b)(2) requires that programs or projects involving an instructional component must provide differentiated education or services to the participating students. Differentiated education or services, as defined in § 160b.2 means that process of educational instruction which is adaptable to varying levels of individual learning response, and includes, but is not limited to, instructional strategies which accommodate the unique learning styles of the gifted and talented, and flexible administrative arrangements for instruction both in and out of school, such as special classes, seminars, resource rooms, independent study, student internships, mentorships, library media research centers, research field trips, and other appropriate arrangements. This concept is also derived from the Study of the Gifted and Talented done by the U.S. Commissioner of Education in 1971 and submitted to Congress as his Report on the Education of the Gifted and Talented (p. 11).

d. *Grants to SEAs and LEAs.* Subpart C of the regulation contains provision for assistance to State educational agencies and local educational agencies.

Section 160b.22 provides assistance to State educational agencies for projects encompassing Statewide activities, in-service teacher training programs (as described in Subpart D), and one or more local educational agency demonstration projects having Statewide agency administration. Under the regulation, priority points will be given where a State consolidates all three of these components in a single application.

Section 160b.23 governs the award of financial assistance under section 404 to local educational agencies for the establishment or improvement of locally based projects or programs for the gifted and talented. Priority is provided to applications demonstrating exemplary programs or projects that have a significant potential for replicability, or which, by their nature will serve as a stimulus or catalyst for other programs, projects or activities, thus building capacity at the local level, or stimulating the development of capacity elsewhere to serve the gifted and talented. A revision has been made to the regulation to require periodic reassessment of all students in the area of the program or project to determine their selection for participation in such special classes. This provision, together with the requirement for use of multiple means of identification in selecting gifted and talented students should guarantee the selection of gifted and talented children from all levels of American society.

It is anticipated that only a limited number of exemplary programs or projects under this section will be assisted in the range of $1,000-$20,000. Since the funding available to the Office of Education is very limited in light of the anticipated number of grant applications expected, only applications showing promise of a high level of impact and replicability can hope to be funded.

e. *Leadership personnel training.* While the statute enumerates several categories of leadership personnel to whom training may be provided, it is silent on the type of training to be provided such personnel. The regulation proposes that this training be carried out along three separate levels: a graduate training program; a leadership training institute; and a program of specialized internships. Only one grant will be made in each of these categories. In order to derive the highest benefit from the Federal funds invested in each of these programs, each application should demonstrate that the program for training leadership personnel proposed in the application will not only assist the personnel involved, but will be directed toward trainees whose training will have an impact throughout the nation in the education of the gifted and talented. (§§ 160b.41-160b.42(b)).

f. *Communications network.* Subpart B of the regulation provides that the Commissioner may enter into contracts to develop and disseminate information to the public pertaining to the education of gifted and talented children and youth. These projects may be targeted, as the Commissioner shall set forth in his request for proposals, to such groups as teachers, counselors, parents, administrators, school psychologists, and gifted and talented students.

g. *Model projects.* The Commissioner is also authorized to enter into contracts with public and private agencies to establish and operate model projects targeted toward special categories of the gifted and talented such as bilingual, handicapped, and migratory. (Subpart F of the regulation). The regulation sets forth characteristic elements, each of which a model project must to some extent embody (§ 160b.53): meeting the needs of a particular subgroup of a spe-

cial category of the gifted and talented; demonstrating thorough knowledge of existing research practice and theory in relation to the defined subgroup in particular; showing a unique relationship to the target population to be addressed; demonstrating awareness of the optimal use of available resources; employing models and strategies that can be generalized for similar target populations; employing applied research measurement methods with provision for formative and summative evaluation; providing for site visits, demonstrations, and the like; and demonstrating input from parents and community organizations.

3. *Public reaction to the proposed regulation.* The overall reaction to the proposed regulation was quite favorable. A number of commenters expressed satisfaction that a long neglected group of students was finally being accorded consideration by the Federal government. They expressed the hope that the impetus to meeting the special educational needs of the gifted and talented now being given on the Federal level would result in an even wider adoption of programs for the gifted and talented at the State and local educational level. They voiced the comment that the regulation, as proposed, was generally well structured to accomplish this objective. In a number of instances they pointed out areas of concern in the proposed regulation, mostly of a minor nature, and suggested technical amendments that would strengthen those areas of the regulation.

Major suggestions received from the public commenters included making the use of multiple means for identification of gifted and talented children and youth a mandatory requirement, applicable in all programs and projects under the Act in which selection of gifted and talented children and youth occurs; greater emphasis on testing and inclusion of children and youth from all levels of American society in order to prevent the institution of a "tracking system" in the guise of establishing a program or project to meet the special educational needs of the gifted and talented; and inclusion of amendments to make explicit that not only a local educational agency or a State educational agency but also consortia or combinations thereof are considered eligible applicants for grant awards under the Act.

4. *Organization of regulation.* The regulation sets forth rules and criteria governing contract and grant awards made by the Commissioner for programs and projects for meeting the special educational needs of gifted and talented children and youth under five categories of program support set forth in section 404 of Pub. L. 93-380. Section 404 authorizes:

(1) Contracts for the development and dissemination to the public of information pertaining to the education of the gifted and talented (Subpart B of the regulation);

(2) Grants to State and local educational agencies for planning, development, operation, and improvement of programs and projects designed to meet the special educational needs of the gifted and talented, including children and youth attending nonpublic schools (Subpart C of the regulation);

(3) Grants to State educational agencies for training teachers of the gifted and talented, and their supervisors (Subpart D of the regulation);

(4) Grants to institutions of higher education or other nonprofit agencies or organizations for leadership personnel training (Subpart E of the regulation); and

(5) Contracts with public or private agencies to support model projects for the identification and education of specially targeted groups of gifted and talented children and youth (Subpart F of the regulation).

In addition, the regulation also contains, in Subpart A, general provisions applicable to all awards funded under the program, including, in particular, the definitions of "gifted and talented" and of "differentiated education" as used in the regulation as well as a requirement for use of multiple methods for identification of the gifted and talented, all of which are derived from the study done by the Commissioner of Education in 1970-71, and published as the Commissioner's report on the "Education of the Gifted and Talented" (Sen. Comm. on Labor and Public Welfare, Committee Print, 1972).

B. *Detailed summary of comments and responses thereto; changes in the regulation.*

The following comments were submitted to the Office of Education regarding the proposed regulation. After the summary of each comment, a response is set forth indicating changes which have been made in the regulation or the reasons why no change is deemed necessary. The comments are arranged in the order of sections of the final regulation.

§ 160b.2 Definitions. (1) *Comment.* A number of commenters suggested inclusion of a definition of "local educational agency" that was broad enough to include public agencies performing services for several local educational agencies. Other commenters suggested that the term "local educational agency" be broadened to include nonprofit groups whose purpose is to perform services for local educational agencies, particularly in the area of the education of the gifted and talented.

Response. A definition of "local educational agency" has been included in § 160b.2.

The term "local educational agency" as defined in the proposed regulation for the Special Projects Act (45 CFR Part 160) is applicable to this regulation by cross-reference, since the Program for the Gifted and Talented is one of the programs that participate in funds authorized and appropriated under the Special Projects Act. The definition is derived from the Elementary and Secondary Education Act. (20 U.S.C. 881(f)). It has been set out in full in this regulation for the convenience of the readers. A "local educational agency", under the definition, may be any public board of education or other public authority legally constituted within a State for either administrative control or direction, or to perform a service function for public elementary or secondary schools in a school district or other political subdivision in a State created for that purpose, or any combination thereof. It does not include an individual public elementary or secondary school, or any nonprofit private organization performing a service function for a school district. Nothing in the regulation, however, precludes a local educational agency from obtaining the services of a nonprofit private organization by contract in carrying out a project or program for the education of the gifted and talented, or proposing to use a particular elementary or secondary school as the site for carrying out some aspect of an exemplary program for the education of the gifted and talented.

(2) *Comment.* A commenter stated that the contributions of school libraries and library specialists as a resource in the education of the gifted and talented, while mentioned in the Commissioner's report, were omitted from the regulation.

Response. Section 160b.2 has been amended to include references to these services and personnel in the illustrative categories contained in the definitions of "differentiated education" and "State and local educators".

(3) *Comment.* A number of commenters pointed out that school psychologists should be included in the definition of leadership personnel because these persons play a major role in the identification of gifted and talented students.

Response. Section 160b.2 has been amended to include "school psychologists" within the definition of the term "leadership personnel."

(4) *Comment.* A commenter suggested that teachers not be excluded from the definition of "leadership personnel" in the regulation so that teachers may also participate in the training offered.

Response. Amendment has been made to the definition of "leadership personnel" in § 160b.2 to implement this suggestion.

The statute provides for two types of training: (1) training of teachers engaged in the education of the gifted and talented and their supervisors through grants to States (Section 404(d)); and (2) training of leadership personnel through grants to institutions of higher education and other nonprofit agencies (Section 404(e)). The statutory emphasis is on the institution providing the training and the type of training provided. A teacher may choose to participate in either category of training, depending on the teacher's personal objective in taking the training and his or her acceptance into the training course. To remove all confusion on this point, the phrase "other than teachers" has been deleted from the definition of leadership personnel.

§ 160b.3 General Requirements. (5) *Comment.* A number of commenters suggested that the provision for identification of the gifted and talented be strengthened to make the use of multiple

methods of identification mandatory, to make methods other than intelligence testing equally acceptable as intelligence testing as a procedure for identification of gifted and talented children and youths, and to prohibit the exclusion of any child in any program funded under the Act on the basis of the use of one method of identification only.

Response. Amendments have been made to § 160b.3 of the regulation to incorporate these comments.

(a) Section 160b.3(b)(1)(i) has been amended to require the use of multiple means of identification in the selection of all children included in one or more of the categories of gifted and talented in the area to be served by the program or project assisted under the Act. The comment was in line with the thought expressed in the Commissioner's Report to Congress (p. 29), and buttresses the intent of the regulation to assure both the identification of all children and youth who have special gifts and talents and their participation in programs and projects designed to encourage full developments of these gifts and talents.

(b) Section 160b.3(b)(1)(ii) has been amended to provide that the selection of the gifted and talented for inclusion in any program or project shall be made by use of at least two acceptable means of identification. Intelligence testing is noted as one of the possible means of identification but the testing and identification procedures used need not be limited to, or even include, intelligence testing, provided multiple, acceptable methods for identifying those children or youth for participation in the proposed program or project are employed. This will provide an additional chance to qualify to every child who has not qualified under the first testing.

(c) To further assure maximum participation in programs and projects supported under the Act, § 160b.3(b)(1) is further amended by adding subdivision (iii) to prohibit the exclusion of any child from a program or project funded under the Act on the basis of one method of identification only.

(6) *Comment.* One commenter requested more specificity in the categories of gifted and talented children included within the scope of the project, as, for instance, a mention of the handicapped.

Response. A specific reference to the handicapped has been included in § 160b.3(b)(7), setting forth the requirement for scope of participation. Inclusion of a reference to the handicapped in this provision will govern direct consideration of their participation not only in State and local educational projects, but in model projects supported by contract, and their indirect consideration in training programs for teachers and leadership personnel.

(7) *Comment.* Another commenter requested inclusion of a requirement that the project or program should generally reflect the racial, economic, and language factors of the community served, unless a specific request is made to target the program or project on any one subcategory of gifted and talented children or youth in the community.

Response. While the regulation has not been amended specifically to reflect the comment, § 160b.3(b)(7) has been amended to corporate the ruling set forth in *P. v. Riles*, 343 F. Supp. 1306, 502 F. 2d 963 (9th Cir. 1974), that any applicant must be able to demonstrate a rational connection between any tests given and the purpose of the program; in this instance, the identification of the category of gifted and talented within the area to be served by the program or project.

(8) *Comment.* One commenter suggested that the definition of gifted and talented be changed to limit "superior psychomotor ability" to psychomotor ability as demonstrated in the visual or performing arts only.

Response. No change has been made in the regulation.

The definition included in the regulation is derived from the definition in the Commissioner's Report to Congress. This definition was the result of a survey of experts in the field of the education of the gifted and talented. Their concept was that psychomotor ability was an evidence of talent in other fields such as sports, as well as the visual or performing arts.

(9) *Comment.* One commenter suggested that the provision for maintenance of level of support in § 160b.3(b)(4) should be amended to apply to a local educational agency carrying out a program under a State proposal funded under this part. (See § 160b.22). Otherwise the Federal funds could conceivably be used to supplant local moneys formerly expended on such a program.

Response. Section 160b.22(b)(3) has been amended to make this clear and emphasize it.

Section 160b.3(b)(4) applies to all applications for funding under the Act. It requires that any application contain an assurance that any funds received from the Federal government for the program or project should supplement and not supplant funds from other sources presently employed in the project. Such an assurance from a State agency proposing to carry on a demonstration project with the aid of a local educational agency would mean that the State application sets forth the fact that such a program or project, if presently in existence and receiving non-Federal funding, would continue to receive this funding, and that the Federal funding requested by the State educational agency would supplement but not supplant this other funding.

§ 160b.4 Duration of projects. (10) *Comment.* One commenter proposed that the provision contained in § 160b.4(c)(2)(ii)(D) concerning one of the determinations for renewal of a grant be included in § 160b.1 rather than in § 160b.4. The commenter felt that the phrase "in the best interests of the government" seems to provide a possible basis for revocation of grant monies and should be explained to avoid misunderstanding by those applying for funding.

Response. No change has been made in the regulation. The phrase in the context in which it is now placed, puts the applicant on notice that four basic determinants will govern the award of continuation funds, one of which is whether the continuation would be in the best interests of the government. This determination does not imply the revocation or termination of any existing grant, but merely makes explicit that the grantee has no claim on continuation funds (which are to be awarded on a competitive basis) and that the decision to grant Federal assistance for continuation purposes lies in whether the Government determines, as one factor, whether a continuation award would be advantageous in light of the whole program. The three other factors for judgment relate to the project itself; at this point, the benefit to the government is decided.

§ 160b.8 General educational and programmatic criteria. (11) *Comment.* One commenter proposed that § 160b.8(b)(1) be amended to provide that an application, in showing that it has identified the special educational needs of the gifted and talented, demonstrate that the gifted and talented population which have been identified proportionately reflect the racial, ethnic and economic composition of the school district as a whole.

Response. No amendment has been made to the regulation specifically to incorporate this comment. However, as noted in the response to comment 8, the provision for identifying the gifted and talented has been amended and strengthened to assure that all children eligible to participate will be adequately tested for participation in programs and projects assisted under the Act.

§ 160b.11 Information services. (12) *Comment.* A number of commenters requested the inclusion of additional groups of persons involved in the education of the gifted and talented to whom information in this field would be disseminated, and one commenter pointed out that needs for information fluctuate from time to time and the target groups were narrowly set.

Response. The Commissioner is in agreement with both these comments and has revised the regulation accordingly.

Section 160b.11(d), as amended, permits the Commissioner to enlarge the categories of target groups beyond those in the illustrative list, and to set out such target groups as he determines in his request for proposals.

(13) *Comment.* A commenter pointed out that Subpart B does not set forth any criteria for evaluation of proposals.

Response. No change has been made in the regulation.

The criteria for evaluation of proposals under this subpart will be contained in a Request for Proposals (RFP), issued by the Commissioner of Education.

(14) *Comment.* A commenter suggested that provision be made for the

dissemination of information about the success of projects and programs funded under the Act.

Response. Section 160b.11(a) has been amended to permit this. The new subparagraph (4) added to § 160b.11(a) will permit this type of information to be disseminated, whenever the Commissioner determines it would be appropriate to issue requests for contract proposals for dissemination of this information.

§§ 160b.21 and 160b.22 Assistance to State educational agencies. (15) *Comment.* One commenter pointed out that neither in 45 CFR Part 100, nor in 45 CFR Part 160, is there a definition of "State agency" which is broad enough to include combinations or consortia of State agencies.

Response. Technical amendments have been made to make this explicit.

The General Provisions Regulations, which govern all programs administered by the Office of Education including the Program for the Gifted and Talented, provide in 45 CFR 100a.19, that eligible applicants may enter into cooperative arrangements with other eligible applicants in applying for assistance. Thus, any consortium of States could file an application for an award to carry on a demonstration project, a teacher training project, or other project having multi-State impact. As in the case of the definition of local educational agency (see Comment 1), since this was not apparent in the regulation for the Program for the Gifted and Talented, technical amendments have been made in § 160b.2 to make this possibility explicit.

§ 160b.23 Grants to local educational agencies for locally based activities. (16) *Comment.* A number of commenters wanted clarification of what was involved in the statutory requirement that a local educational agency give assurance to the Commissioner that it has submitted its application to a State educational agency for comment, especially as to whether the State educational agency could exercise a veto power.

Response. An amendment has been made to § 160b.23 in response to this comment.

The amendment provides that a State may submit such comments as it deems pertinent to the U.S. Commissioner of Education within 30 days of receipt of the application from a local educational agency. The statutory provision, that the Commissioner may not approve an application from a local educational agency unless that agency gives assurance that it has submitted its application to the State agency, was reflected in the notice of proposed rulemaking by requiring the local educational agency to submit a copy of its application to the State agency at the same time that it submitted the application to the Commissioner. Compliance with this provision is legally sufficient. However, for clarification hereafter, the regulation has been amended to allow the State agency 30 days to provide the Commissioner with the comments it desires to make. The statute does not bind the Commissioner to concur in negative comments from the State and reject an otherwise acceptable application from a local educational agency.

(17) *Comment.* A number of commenters suggested that institutions of higher education, as well as local educational agencies, be required to submit their applications to the State educational agencies for review and comment.

Response. No change has been made in the regulation.

Section 404 of Pub. L. 93-380 provides for State educational review of applications from local educational agencies only. However, a list of grant awards made to nonprofit agencies and institutions within the State will be furnished to the State educational agency.

(18) *Comment.* A number of commenters expressed concern that establishment of special classes by local educational agencies would lead to "tracking" which could work to the detriment of minority and other disadvantaged children and youth.

Response. As stated previously, the amendments made to § 160b.3(b)(1), which are explained in the response to comment 5 above, are designed to address the concerns raised by these commenters.

(19) *Comment.* A number of commenters requested that a local educational agency exemplary project be permitted to include a teacher training component.

Response. A change has been made in § 160b.23(c) of the regulation to respond to this comment.

Incidental teacher training could be a necessary, even if minor, component of a local educational agency exemplary program or project. In fact, it has been expected that incidental related training would be included in an application, where appropriate. To make this explicit, and yet to allow local educational agencies to include this training or not, as the project design requires, § 160b.23(c) has been amended to allow costs for such training, where it is in-service and related to the proposed project.

§ 160b.24 Criteria for evaluating applications of local educational agencies. (20) *Comment.* One commenter suggested that representatives of nonpublic schools, whose pupils are statutorily authorized to be participants in programs and projects carried on by State or local educational agencies under the Act, have a positive role in developing the applications for these programs and projects.

Response. An amendment has been made to § 160b.23(c) of the regulation to provide for greater involvement of nonpublic representatives.

Section 160b.23(c)(3) of the regulation, as published in the Notice of Proposed Rulemaking, required that applications from local educational agencies provide that, if assistance is made available, the applicant will set up an advisory committee representative of persons or groups concerned with the program or project for the gifted and talented supported under the Act. This provision has been amended to list representatives from nonpublic schools among those who may serve on the advisory committee. It is at the level of demonstration and exemplary programs and projects that nonpublic school children will be most likely to participate, and representatives of these schools constitute a concerned class of persons who may be included on the advisory committee.

§ 160b.31 et seq. Model Projects. (21) *Comment.* A number of commenters suggested that Model Projects should not be restricted to serving specific sub-populations of the gifted and talented, but should cover a wider range of objectives.

Response. No change has been made in the regulation.

Subsection (g) of section 404 of Pub. L. 93-380 authorizes model projects for the identification and education of gifted and talented children including special categories, such as bilingual, handicapped children, and educationally disadvantage children. Funds for establishment and operation of model projects are statutorily limited to 15 percent of amounts expended under the Act. In order to be in compliance with the statutory intent of this subsection of the Act and to make maximum use of limited funds for capacity building in specific areas, the regulation limits model projects to serving specific sub-groups of the gifted and talented.

(22) *Comment.* A number of commenters from areas where there are active community and other private organizations concerned with the education of the gifted and talented requested that the input from such organizations be recognized as a part of a model project.

Response. Section 160b.53 has been amended to incorporate the comment. This section lists elements of a model project. An additional element has been added, namely, that a model project demonstrate contributions from parents of target group students and concerned community organizations.

General. (23) *Comment.* Several commenters recommended that the regulations require equal participation by both sexes in programs for the gifted and talented.

Response. No change has been made in the regulation.

The participation of students will be dependent on the identification procedures utilized to determine potential or demonstrated ability and need for differentiated educational services. No distinction is to be made by sex in this identification procedure. The Program for the Gifted and Talented, as all programs of Federal financial assistance, will be subject to Title VI of the Civil Rights Act, Title IX of the Educational Amendments of 1972, and corresponding regulations which prohibit discrimination.

(24) *Comment.* A number of commenters recommended that the distribution of funds be changed so that only activities related to training and capacity building be funded.

Response. No change has been made in the regulation.

If it was the intent of these commenters that only the grant activities under Subparts C, D, and E be funded, the Commissioner is unable to accede to their suggestions.

(26) *Comment.* The comment was made that more funds should be allocated to local educational agencies.

Response. Same response as to comment (19).

(26) *Comment.* A number of commenters recommended that the regulation permit the establishment of enrichment centers and other such provisions which supplement the regular school program.

Response. No change has been made in the regulation.

However, while not spelled out in the regulation, for the reason that such particularity would limit rather than further innovation, applications for such programs may be considered under the regulation.

(27) *Comment.* A number of commenters wanted a more detailed breakdown of the points used by the field readers in evaluation of applications.

Response. No change has been made in the regulations.

In drafting the regulation, recognition was given to the need to preserve an appropriate degree of flexibility to program applicants to design and administer projects which they have fashioned. The regulation has set broad parameters within which applicants retain freedom to fashion innovative proposals. It is believed that the criteria are sufficiently specific and that adequate guidance is given as to the weight assigned each criterion.

(28) *Comment.* One commenter recommended that institutions of higher education be allowed to expend funds for additional faculty.

Response. No change has been made in the regulation.

Because of the limitations of funds, it is expected that project costs to be funded under the Act will be limited to incremental costs of establishing and carrying on the program or project, and that such incremental costs will be justified in the application. Such costs may include faculty costs, where so justified.

C. *Other changes.* Typographical and editorial corrections and certain technical changes for clarification and consistency have been made.

Assistance provided under this program is subject to the provisions in the governing legislation as well as the provisions of Part 100 of this chapter. Assistance under this program is also subject to applicable provisions of Subchapter A of this chapter (see, in particular, 45 CFR Part 100a) and Appendices thereof.

After consideration of all comments, Title 45 of the Code of Federal Regulations is amended by adding a new Part 160b to read as set forth below:

Effective date: Pursuant to Section 431(d) of the General Education Provision Act, as amended (20 U.S.C. 1232 (d)), this regulation has been transmitted to the Congress concurrently with the publication in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions thereof concerning congressional action and adjournment.

It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular A-107.

(Catalog of Federal Domestic Assistance No. 13.563, Program for the Gifted and Talented)

Dated: February 29, 1976.

T. H. BELL,
U.S. Commissioner of Education.

Approved: April 27, 1976.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

Chapter I of Title 45 is amended by adding the new Part 160b to read as set forth below:

PART 160b—PROGRAM FOR THE GIFTED AND TALENTED

Subpart A—General

Sec.
160b.1 Purpose and scope.
160b.2 Definitions.
160b.3 General requirements.
160b.4 Duration of projects.
160b.5 Pre-applications.
160b.6 General educational and programmatic criteria.
160b.7 Allowable costs.

Subpart B—Information Services

160b.11 Information development and dissemination.

Subpart C—Assistance to State and Local Agencies for Planning, Development, Operation, and Improvement of Programs

160b.21 General.
160b.22 Grants to State agencies, Statewide activities.
160b.23 Grants to local educational agencies, locally based activities.
160b.24 Criteria for evaluation of applications.
160b.25 Participation of students in non-public schools.

Subpart D—Training of State and Local Educators

160b.31 Grants for State Training Projects.
160b.32 Criteria for awards.
160b.33 Allowable costs.

Subpart E—Leadership Personnel Training

160b.41 Grants for leadership personnel training.
160b.42 Grant activities.
160b.43 Graduate training program for leadership personnel.
160b.44 Training institute for gifted and talented.
160b.45 Internships.
160b.46 Criteria for awards.

Subpart F—Model Projects

160b.51 Contracts for model projects.
160b.52 Eligible applicants.
160b.53 Elements of a model project.
160b.54 Criteria for awards.

AUTHORITY: Section 404, Pub. L. 93-380; 20 U.S.C. 1883.

Subpart A—General

§ 160b.1 Purpose and scope.

(a) *Purpose.* Section 404 of Pub. L. 93-380 (20 U.S.C. 1883) provides a program of grants and contracts to support the education of gifted and talented children and youth through:

(1) The development and dissemination to the public of information pertaining to the education of gifted and talented children and youth (§ 404(b));

(2) Grants to State and local educational agencies for the planning, development, operation, and improvement of programs and projects designed to meet the special educational needs of the gifted and talented at the preschool, elementary, and secondary school levels (§ 404(c));

(3) Grants to State educational agencies for training personnel engaged, or preparing to engage, in educating the gifted or talented or as supervisors of such personnel (§ 404(d));

(4) Grants to institutions of higher education or other appropriate nonprofit agencies for training leadership personnel in the education of the gifted and talented (§ 404(e)); and

(5) Contracts with public and private agencies for the establishment and operation of model projects for the identification and education of the gifted and talented (§ 404(g)).

(b) *Scope.* This part applies to projects assisted with funds appropriated pursuant to Section 404 of Pub. L. 93-380, or with funds made available for expenditure under Section 404 pursuant to the Special Projects Act by Section 402 of Pub. L. 93-380.

(c) *Other pertinent regulations.* Assistance under this part is subject to applicable provisions contained in (1) subchapter A of this chapter, relating to fiscal, administrative, property management, and other matters (45 CFR Parts 100, 100a), and (2) Part 100 of this chapter, relating to the Special Projects Act.

(20 U.S.C. 1231, 1232)

§ 160b.2 Definitions.

(a) "Act means Section 404 of the Education Amendments of 1974 (Pub. L. 93-380), relating to assistance for the education of the gifted and talented.

(20 U.S.C. 1883)

(b) "Differentiated education or services" means that process of instruction which is capable of being integrated into the school program and is adaptable to varying levels of individual learning response in the education of the gifted and talented and includes but is not limited to:

(1) A differentiated curriculum embodying a high level of cognitive and affective concepts and processes beyond those normally provided in the regular curriculum of the local educational agency;

(2) Instructional strategies which accommodate the unique learning styles of the gifted and talented; and

(3) Flexible administrative arrangements for instruction both in and out of school, such as special classes, seminars, resource rooms, independent study, student internships, mentorships, research field trips, library media research centers and other appropriate arrangements.

(20 U.S.C. 1868, U.S. Commissioner of Education's Report on "Education of the Gifted and Talented," pp. 11 and 38 (Sen. Comm. on Labor and Public Welfare, Comm. Print, 1972, hereinafter "Comm. Print.")

(c) "Gifted and talented" means children and, where applicable, youth, who are identified at the preschool, elementary, or secondary level as (1) possessing demonstrated or potential abilities that give evidence of high performance capability in areas such as intellectual, creative, specific academic, or leadership ability or in the performing and visual arts; and (2) needing differentiated education or services (beyond those being provided by the regular school system to the average student) in order to realize these potentialities.

(20 U.S.C. 1868, Comm. Print (1972) 10-11)

(d) "Instructional equipment" means those items of equipment and accompanying learning materials unique to and necessary for the operation of differentiated educational programs or special educational services for gifted and talented students which do not duplicate existing items.

(20 U.S.C. 1868(c)(3))

(e) "Leadership personnel", for the purposes of subpart E, includes, but is not limited to, teacher trainers, school administrators, supervisors, researchers, State consultants, school psychologists and other persons engaged in directing or providing services to the gifted and talented children and youth. These persons may also include potential leaders who represent parental, organizational, and other community and professional interests in the education of the gifted and talented.

(20 U.S.C. 1868(e))

(f) "Local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary school.

(20 U.S.C. 881(f))

(g) "Non-public elementary or secondary schools" means schools which provide elementary or secondary education, as determined under State law (but not including any education beyond grade 12), and which are controlled by other than a public agency.

(20 U.S.C. 1863(c)(2)(A)(iii))

(h) "State and local educators", for the purposes of subparts C and D, includes persons engaged in or preparing to be engaged in the education of the gifted and talented, such as teachers, counselors, library media specialists, or first line supervisors.

(20 U.S.C. 1863(d))

(i) "State educational agency" for purposes of subparts C and D means any State educational agency, or any consortium of such agencies that have entered into a cooperative agreement for carrying out programs or projects under these subparts on a multi-State basis.

§ 160b.3 General requirements.

(a) *Scope.* Each application under this part is subject to the requirements described in paragraph (b) as well as the requirements contained in the particular subpart pursuant to which such application is submitted. Applications for assistance under this part must contain information sufficient to enable the Commissioner to determine that the requirements are satisfied with respect to the program or project for which assistance is requested in the application. Applications not meeting these requirements will not be subject to further evaluation under this part.

(b) *Requirements.* (1) *Procedures for identification and assessment of gifted and talented.* (i) In the case of any program or project under this part which involves the provision of services to the gifted and talented, the procedures for identification and assessment of the gifted and talented must be sufficiently comprehensive to identify and assess all children who are in the category (or categories) of gifted and talented children (as defined in § 160b.2) addressed by the program or project and who are in the area to be served by the program or project.

(ii) Such identification shall be accomplished by the use of multiple methods which shall include at least two acceptable procedures (such as teacher nominations, measures of creativity, peer nominations, intelligence tests, evaluations adapted to the cultural norm or other predictive measures) related to the specified category (or categories) of gifted and talented to be served by the program or project. A specified category of the gifted and talented may be:

(A) General intellectual ability,

(B) Specific academic aptitude,

(C) Creative or productive thinking,

(D) Leadership ability,

(E) Talent in visual and performing arts,

(F) Superior psychomotor ability.

(iii) No child shall be denied entry into a program or project on the basis of only one method of identification.

(20 U.S.C. 1863, Comm. Print (1972) at 10-11)

(2) *Differentiated education.* Where the program or project to be assisted includes an instructional component serving the gifted and talented, the program or project must involve differentiated education or services, as defined in § 160b.2, designed to ensure emphasis on affective as well as cognitive development of the student.

(20 U.S.C. 1863, Comm. Print (1972) at 11)

(3) *Individualized education.* The activities to be carried out must be structured to respond to the individual needs, both cognitive and affective, of the children, teachers, and other personnel to be served.

(20 U.S.C. 1863)

(4) *Maintenance of level of support.* An application for assistance under this part must contain an assurance that funds made available to the applicant under this part will be so used (i) to supplement and, to the extent practicable, increase the level of funds that would, in the absence of funds under this part, be available from non-Federal sources for the purposes of the program for which assistance is sought, and (ii) in no event to supplant such funds.

(Sen. Rept. No. 93-763, at 72 (1974))

(5) *Multiplier effect.* The program or project must be designed to affect and improve the education of the gifted and talented on a national, Statewide, or regional level and to attract other public or private resources to the education of the gifted and talented.

(Sen. Rept. No. 93-763, at 72 (1974))

(6) *Scope of participation.* Provision must be made for the participation of, or for assistance with respect to the needs of, all targeted gifted and talented in the area to be served by the program or project, including those who are economically deprived, handicapped, or culturally different as evidenced by traits such as bilingual capability, or other traits common to the cultural norm. Where tests are employed as a means of identifying the gifted and talented, the recipient of funds under this Part must be able to demonstrate a rational connection between such tests and the purpose for which they are given.

(20 U.S.C. 1863 *P. v. Riles*, 343 F. Supp. 1306)

(7) *Evaluation.* The application must contain satisfactory assurance that the applicant (i) will conduct a comprehensive ongoing evaluation as well as a final evaluation of the program or project, and (ii) will cooperate with the Commissioner's evaluation of specific plans, programs, projects, or activities assisted under the Act.

(8) *Internal consistency.* The application must establish that all components of the program or project are interrelated and interdependent.

(20 U.S.C. 1863)

§ 160b.4 Duration of projects.

(a) Grant awards made pursuant to this part will be for a period of up to one year.

(b) Grant applications may be filed proposing a program or project with a duration in excess of one year. Such application must be accompanied by an explanation of the need for multi-year support, an overview of the objectives and activities proposed, and estimated budget breakouts to obtain these objectives in any proposed subsequent year. If the Commissioner finds that the application demonstrates that multi-year support is needed to carry out the proposed program or project, the Commissioner may, in the initial notification of grant award for the program or project, indicate an intention to assist the program or project on an appropriate multi-year basis through continuation grants.

(c) (1) Subject to availability of funds, where the Commissioner has made an initial award to support a project proposal requiring more than one year for completion, continuation awards may be made.

(2) (i) Continuation applications will not be competitive with initial awards in any subsequent fiscal year, but will be competitive with other applications for continuation awards in the same year.

(ii) Applications for continuation awards will be reviewed to determine:

(A) If the grantee has complied with the grant terms and conditions, the Act, and the regulations;

(B) The effectiveness of the program or project to date or the constructive changes proposed as a result of the ongoing evaluation;

(C) The extent to which the program or project is meeting the applicable priorities; and

(D) The extent to which continuation of Federal assistance to the program or project is in the best interests of the government.

(20 U.S.C. 1883 (c), (d), and (e))

§ 160b.5 Pre-applications.

(a) With respect to the award of grants under subparts C, D, and E, the Commissioner may require applicants to submit a pre-application in accordance with § 100a.41 of this chapter by publishing a closing date for pre-applications in the FEDERAL REGISTER.

(b) In the event the Commissioner does require pre-applications pursuant to paragraph (a) of this section:

(1) As part of the narrative statement concerning the program or project required in pre-application forms provided for by § 100a.41 of this chapter, which may not exceed ten double-spaced typewritten pages, applicants for grants must provide information on the objectives and activities proposed which is responsive to applicable criteria set forth in §§ 160b.6, and 160b.24, 160b.32, or 160b.46, as appropriate.

(2) If the applicant proposes a program or project with a duration in excess of one year, the narrative statement must include an explanation of the need for multi-year support, and the budget forms must include a detailed budget for the first year and summary projections for the balance of the proposed project.

(3) Pre-applications will be evaluated by the Commissioner on the basis of their prospects for meeting the funding requirements set out in § 160b.3 and the applicable subpart, and for competing successfully with similar applications in terms of the criteria set forth in § 160b.6 and the applicable subpart.

(4) Applicants submitting the most highly rated pre-applications will be invited to submit applications for review.

(20 U.S.C. 1883)

§ 160b.6 General educational and programmatic criteria.

(a) *Applicability.* Applications for grants under this part will be evaluated on the basis of:

(1) funding criteria contained in the subpart to which the application relates (see §§ 160b.24, 160b.32, and 160b.46); and

(2) general criteria set forth in paragraph (b) of this section. The criteria contained in 45 CFR § 100a.26 are not applicable to this part.

(b) *General criteria.* The following general criteria will be applied in evaluating all applications for grants under this part (100 points):

(1) *Needs assessment (10 points).* The extent to which the program, project, or activity has identified the special educational needs of the gifted and talented population that it proposes to serve (including the assessment of such needs of minority groups or economically deprived children in the area to be served) and gives evidence that this identification was derived through a process involving the population to be served, educators, and the community (including parents, private groups, and/or institutions).

(2) *Statement of objectives (20 points).* The extent to which the program, project, or activity defines specific immediate objectives in relation to the needs identified and contains appropriate strategies to meet these objectives.

(3) *Activities (25 points).* The extent to which the program, project, or activity:

(i) Is designed to meet the unique needs of each participant;

(ii) Incorporates innovative concepts and techniques which can be replicated to meet current problems experienced in gifted and talented education.

(4) *Resource management (25 points).* The extent to which the program, project, or activity:

(i) Demonstrates selection of competent staff and consultants;

(ii) Shows evidence of plans to prepare and train staff;

(iii) Effectively and efficiently utilizes existing monetary, human, and informational resources, public, private, and community;

(iv) Demonstrates innovative coordination of resources for program management.

(5) *Evaluation (10 points).* The extent to which the program or project contains an ongoing evaluation component which will:

(i) Utilize objective assessment procedures to the greatest degree possible for all program aspects;

(ii) Involve persons both directly and indirectly affected by the program, project, or activity, such as parents, students, and the community;

(iii) Include mechanisms for effecting changes in the program or project based on periodic compilation of results;

(iv) Include the application of standards of success designed by persons associated with the program or project as well as those standards developed by professionals elsewhere;

(v) Report results based on actual accomplishments by the gifted and talented students or their teachers which are a direct result of the project, program, or activity.

(6) *Dissemination (10 points).* The extent to which the proposed program or project demonstrates a substantial commitment of monetary and human resources for the purpose of:

(i) Organizing final results and products in exportable form;

(ii) Training personnel from other agencies and institutions desiring to utilize a similar model or program.

(20 U.S.C. 1883)

§ 160b.7 Allowable costs.

(a) *General.* (1) Allowable costs under programs or projects to which funds are awarded pursuant to this part shall be determined in accordance with cost principles set forth in the applicable appendices to subchapter A of this chapter.

(2) The costs of nonexpendable personal property with an acquisition cost of $1,000.00 or more per unit, depreciation or use allowances, automatic data processing, membership, subscriptions and professional activities shall be unallowable under this part unless they have been provided for in the grant agreement and specifically authorized by the Commissioner. Facilities, capital assets, and repairs which materially increase the value or useful life of capital assets generally shall be unallowable.

(b) *Costs in training projects.* Training projects of short-term duration under Subparts D and E:

(1) Grants for these training projects may include provisions for (i) the payment of tuition and fees, and (ii) the payment to participants (who are not otherwise compensated for their time while receiving training) of stipends, as follows:

(2) (i) Where stipends are paid to participants, payments will be at the rate of $30.00 for each full day of training, up to $150.00 per week. If a day of training involves less than five hours, payment for attendance would be at the rate of $6.00 per hour subject to the weekly limit of $150.00; or

(ii) Where the educational personnel participating in the training are ordinarily paid for their work at a salary scale determined by a collective bargaining agreement in which the minimum hourly rate for the individual is more than $6.00 per hour, the individual would

be eligible for a stipend at the minimum hourly rate provided under the collective bargaining agreement;

(iii) Where a local educational agency or other public educational agency compensates teachers or other educational personnel whom it employs for their time in receiving training under this subparagraph and must hire a substitute for a participant in the training during the time of such participation, reimbursement may be made in accordance with law under the grant to such agency in the amount required to hire the substitute;

(iv) Up to fifty percent of travel costs will be paid for participation in any training component under this subparagraph.

(c) *Graduate training of leadership personnel.* (1) Grants which support training in the education of the gifted and talented leading to a graduate degree or beyond as provided for in subpart E may include provisions for (i) payment to the grantee of the incremental costs of planning, organizing, staffing, and conducting such courses, seminars, and practicums during their preparation and first year operation, and (ii) partial tuition and fees of participants on a credit hour basis, and (2) payment to participants of stipends and dependency allowances as the Commissioner may determine to be consistent with prevailing practices under comparable Federal programs providing fellowship support.

(d) *Internships.* Where a grant to an institution of higher education or other appropriate non-profit institution or agency, or a consortium thereof, relates to a project or program involving internships for the participants with State or local public agencies, Federal agencies, or institutions, provision may be made to include an amount for the internship in the grant at the entering rate for professionals in the agency to which the intern is to be assigned. The application must contain sufficient information and justification to satisfy the Commissioner that such payment would contribute substantially to the realization of the project objective. The amount of the internship shall be limited to the equivalent of entering salary.

(e) *Indirect costs.* (1) Except as provided in subparagraph (2) of this paragraph, indirect costs will be allowed under projects funded under this part in accordance with the indirect cost rate allowances set out in the Appendices to subchapter A of this chapter;

(2) Indirect cost rates for educational training grants will be awarded at

(i) The actual level of indirect costs as determined under clause (1) of this subparagraph, or

(ii) The rate of eight percent of total direct costs, including stipends and dependency allowances, whichever is the lesser.

FMC 73-8 and FMC 76-4, 20 U.S.C. 1863, (451(c)(b); 1232c(b)(2))

Subpart B—Information Services

§ 160b.11 Information development and dissemination.

(a) *General.* The Commissioner shall enter into contracts with one or more public or private agencies or organizations to develop and disseminate information to the public pertaining to the education of gifted and talented children and youth.

(b) *Activities.* Development of such information includes, but is not limited to

(1) Collection of available data on identification of the gifted and talented;

(2) Analyses of existing methodologies and new discoveries in the continuing educational needs of the gifted and talented;

(3) Information on current and developing training opportunities for teachers of the gifted and talented and for leadership personnel in this area; and

(4) Any other information considered relevant to the education and development of gifted and talented children and youth.

(c) *Dissemination methods.* Such project(s) shall provide for the preparation and dissemination of information by the most appropriate means available, including publication or any other appropriate medium of dissemination.

(d) *Targeting.* In soliciting proposals under this Subpart, the Commissioner shall determine the target groups for dissemination activities, including but not limited to one or more of the following groups: Teachers, counselors, parents, administrators, school psychologists and gifted and talented students.

(20 U.S.C. 1863(b))

Subpart C—Assistance to State and Local Agencies for Planning, Development, Operation, and Improvement of Programs.

§ 160b.21 General.

(a) *Scope.* This subpart governs grants to State educational agencies and local educational agencies under subsection (c) of the Act to assist such agencies or any consortia thereof in the planning, development, operation, and improvement of programs or projects designed to meet the special educational and related needs of the gifted and talented at the preschool, elementary, and secondary school levels.

(20 U.S.C. 1863(c))

(b) *Requirements.* In addition to the requirements set forth in § 160b.3, an application for assistance under this subpart shall:

(1) Provide satisfactory assurance that funds paid to the applicant will be expended solely to plan, establish, and operate programs or projects which:

(i) Are designed to identify and to meet the special educational and related needs of gifted and talented children; and

(ii) Are of sufficient size, scope and quality to make substantial progress toward meeting those needs;

(20 U.S.C. 1863(c)(2)(A)(i))

(2) Set forth such policies and procedures as are necessary for acquiring and disseminating information derived from educational research, demonstration and pilot projects, new educational practices and techniques, and the evaluation of the effectiveness of the program or project in achieving its purpose.

(20 U.S.C. 1863(c)(2)(A)(ii))

(3) Provide satisfactory assurance that, to the extent consistent with the number of gifted and talented children in the area to be served by the applicant who are enrolled in non-public elementary and secondary schools, provision will be made for the participation of such children in accordance with § 160b.25 of this part.

(20 U.S.C. 1863(c)(2)(A)(iii))

(4) Set forth a sufficient description of the program or project for which assistance is sought to enable Commissioner to make all necessary determinations under this part in order to consider and evaluate the application in light of the applicable criteria in this part. Applicants are advised to organize their presentations with reference to such criteria and to explain how they believe the criteria relate to the proposed program or project.

(20 U.S.C. 1863(c))

§ 160b.22 Grants to State agencies; Statewide activities.

(a) *General.* Grants under this subpart may be made to State educational agencies or consortia thereof to assist them in planning, establishing, and operating programs or projects which are designed to have Statewide impact in identifying and meeting the special educational and related needs of the gifted and talented.

(b) *Components.* A State educational agency applying under this subpart may include in a single application components involving:

(1) A project encompassing Statewide activities as described in this subpart ("State grant");

(2) An inservice teacher training program described in subpart D ("training component"); and

(3) One or more local educational agency demonstration projects having Statewide impact ("local demonstration project component"). (Funds for such projects shall not supplant any State or local funds being expended by the local educational agency for the education of gifted and talented children and youth).

(c) *Examples.* The following list is illustrative (but not exhaustive) of the types of Statewide or cooperatively developed multi-State activities which may be assisted under this subpart:

(1) The provision by a State educational agency of developmental and tech-

nical assistance (through regional area service centers or other mechanisms) to assist specific local educational agencies in carrying out programs or projects to meet the special educational and related needs of the gifted and talented;

(2) A survey and assessment to meet these needs which currently exist in local educational agencies in the State;

(3) Determination of the need for particular programs and projects to meet these needs as a result of the survey and assessment;

(4) Development of a comprehensive plan for serving the gifted and talented in local educational agencies in the State;

(5) Provision for a State coordinator(s) or other official(s) with responsibility for development, improvement, coordination, and delivery of other State services with respect to programs for the gifted and talented in local educational agencies;

(6) Arrangements with local educational agencies to carry out demonstration projects at the local educational agency level which have Statewide or regional impact in meeting the special educational and related needs of the gifted and talented;

(7) Statewide competitive scholarships, or student internships for gifted and talented children to work with mentors;

(8) The development and implementation of an inservice training program for local educational personnel in the administration of appropriate and comprehensive methods for the identification and education of the gifted and talented and assessment of their needs (Subpart D, Training of Educators); and

(9) Other activities of a capacity-building nature designed to enhance the capacity of the State educational agency and local educational agencies in the State to meet the special educational and related needs of the gifted and talented.

(d) *State educational agencies.* Applications for assistance under this part from State educational agencies must demonstrate that the Statewide activities for which assistance is requested under this subpart will be coordinated with any other activities to be carried out by the State educational agency under this part, including activities under subpart D (relating to training of teachers).

(e) *Methods of operation.* A State educational agency may carry out its functions under an approved application under this subpart directly or through local educational agencies. However, a State educational agency must maintain administrative direction and control with respect to any program or project for which it is receiving assistance under this subpart.

(f) *Notice.* It is anticipated that, for fiscal year 1976, funds will be available to support only a limited number of comprehensive Statewide programs under this subpart, and funds will be insufficient to support State educational agency projects in all States. Accordingly, only those programs or projects will be funded which meet the requirements of this part, and which are highly rated in accordance with the applicable criteria in comparison with all other State applications submitted.

(20 U.S.C. 1863(c))

§ 160b.23 Grants to local educational agencies; locally based activities.

(a) *General.* (1) Grants to local educational agencies under this subpart will be made to assist such agencies in the establishment or improvement of exemplary programs and projects to meet the special educational and related needs of the gifted and talented at the preschool, elementary, and secondary school levels. It is anticipated that only a limited number of exemplary programs or projects under this section will be supported in the approximate range of $1,000 to $20,000 each. (A total of $250,000 of the amount available will be initially reserved for grants under this section).

(b) *Priority.* In the approval of applications and the award of grants under this section, priority will be given to programs or projects (1) which the applicant demonstrates have a significant potential for replicability; or (2) which will best serve as a catalyst or stimulus for other programs, projects, or activities to meet the needs of the gifted and talented in areas, regions, or States lacking programs or services to meet these needs.

(20 U.S.C. 1863(c), Sen. Rept. No. 93-763, at 72 (1974))

(c) *Requirements.* In addition to the requirements of § 160b.3 and § 160b.21 (b), applications for assistance under this subpart from a local educational agency must:

(1) Provide satisfactory assurance that the application has been submitted to the appropriate State educational agency for its review and recommendation no later than the time the application has been submitted to the Commissioner. Upon review, the State educational agency may submit to the Commissioner, within 30 days of its receipt of a copy of the application, such recommendations as it deems pertinent.

(20 U.S.C. 1863(c)(2)(B))

(2) If the State has a comprehensive plan for the education of the gifted and talented, set forth a description of how the activities proposed to be carried out under the proposed program or project relate to the State plan;

(3) If assistance is made available under this project, provide satisfactory assurance that provision will be made for establishing an advisory committee composed of persons broadly representative of the community in the school district or otherwise to be served by the program or project, including persons representing agencies or other entities serving the needs of the gifted and talented, teachers, administrators, gifted students, nonpublic school representatives, and parents of gifted and talented children;

(20 U.S.C. 1231d))

(4) In the case of establishment of special classes for the gifted and talented for the purposes of the program or project, provide satisfactory assurance, that reassessment will be made of students participating in and those not participating in such classes from time to time, in order periodically to redetermine such participation.

(d) *Illustrative activities.* The following types of activities are illustrative of the types of activities which may be supported (in whole or in part) in connection with programs or projects assisted under this section:

(1) Exemplary programs involving comprehensive differentiated education or services to meet the special educational and related needs of the gifted and talented;

(2) Exemplary programs involving opportunity for study outside the classroom (including apprenticeships and mentorships);

(3) Exemplary programs of special counseling to meet the needs of the gifted and talented;

(4) The provision of postsecondary studies at the secondary school level;

(5) The establishment of special classes for gifted and talented children; and

(6) Exemplary programs for special target groups of gifted and talented such as preschool children, minority group children and economically disadvantaged.

(e) *Allowable costs.* (1) Allowable costs for a local exemplary project may not include other than incremental costs of establishing or operating the project (such as salaries for additional staff, and special equipment, the purchase and use of which is justified in the proposal).

(2) The cost of facilities, capital assets, and repairs which materially increase the value or useful life of capital assets shall be unallowable under this section.

(3) Where appropriate and justified, costs for an in-service training element for teachers involved in the project may be included in the proposal.

(20 U.S.C. 1863(c))

§ 160b.24 Criteria for evaluation of applications.

In order to achieve the purposes set forth in the Act, the Commissioner, in determining whether to approve an application for a Federal grant and the amount of the grant pursuant to this subpart will consider, in addition to the general requirements in § 160b.3 the following factors, weighted according to the indicated points:

(a) *All applications.* (100 points) The general educational and programmatic criteria set forth in § 160b.6 of this part.

(b) *State educational agency applications.* (100 points) With respect to State educational agency applications:

(1) (10 points).—The extent to which the Statewide or other activities under the application will be carried out pursuant to a comprehensive State plan for identifying and meeting the special edu-

cational and related needs of the gifted and talented;

(2) (20 points)—The likelihood that the activities to be carried out under the program or project will be sustained and expanded by the applicant following the expiration of Federal assistance, as measured by:

(i) Evidence of financial and other commitment of the applicant to the project, and

(ii) The extent to which the program or project is designed to build the capacity of the applicant to plan, develop, operate, improve or assist programs or projects to meet the special educational needs of the gifted and talented;

(3) (20 points)—Evidence of commitment by the State educational agency to further the Act's purposes in the State as reflected by such factors as the existing or planned organizational status within the State agency of personnel with administrative responsibilities related to the gifted and talented;

(4) (10 points)—The extent to which the proposed program or project responds to the needs of existing and planned programs for the gifted and talented in local educational agencies throughout the State for developmental and technical assistance from the State educational agency;

(5) (20 points)—In the case of State projects involving one or more local educational agency demonstration projects, the extent to which the proposed model project(s) is significantly and directly related to the provision of quality differentiated educational services and activities to the gifted and talented throughout the State (in evaluating his criterion, the criteria set forth in paragraph (c) below will be used and given weight as follows: (1) (7 points); (2) (4 points); (3) (3 points); (4) (6 points)).

(6) (20 points) The comprehensiveness and quality of the in-service training of State educators component in the State application. In evaluating this factor, the criteria set forth in subpart D, § 160b.32 will be used.

(c) *Local educational agency applications.* With respect to local educational agency applications (100 points):

(1) (35 points)—The extent to which the proposed program or project, if successful, is of an exemplary design in order to stimulate the development of programs or projects to meet the special educational or related needs of the gifted and talented in school districts in addition to that of the applicant local educational agency as reflected by factors such as:

(i) The extent to which the program or project is capable of replication;

(ii) The extent to which the applicant has planned for providing developmental or technical assistance to non-applicant local educational agencies in the State with similar problems;

(iii) The relative cost effectiveness of the program or project as to development, replication, and utilization by others;

(iv) The extent to which the program or project holds promise of providing new and innovative approaches to meeting the special educational needs of gifted and talented children;

(2) (20 points)—The extent to which the applicant has developed, with the support of concerned parents and community members, fair, adequate, comprehensive, nondiscriminatory and multiple methods for identifying and selecting the gifted and talented children in the category to be included in the proposed program or project and assessing their educational needs and the means for meeting such needs.

(3) (15 points)—The extent to which the proposed program or project provides for the integration of, or mutual reinforcement between, programs to meet the special educational needs of the gifted and talented and the regular educational program of the local educational agency (taking into account such factors as the degree to which educational benefits or innovations derived from such program or project will be communicated to or used by teachers, or will be otherwise infused into, the general instructional program of the school system).

(4) (30 points)—The extent to which the proposed program is innovative and effective enough to provide significant educational gains for the gifted and talented at low cost.

(20 U.S.C. 1863(c))

§ 160b.25 Participation of students in non-public schools.

(a) *General.* Each program and project carried out under Subpart C of this part shall, to the extent consistent with the number of gifted and talented students enrolled in non-public schools in the geographic area served by the program or project, make available for these students any differentiated educational services supported under this subpart which will meet the special educational needs of such students. Each application submitted by a State educational agency or a local educational agency shall indicate the number of students enrolled in nonpublic schools who are expected to participate in each program and project proposed by such agency and the manner of their expected participation.

(b) The provision of special educational services to nonpublic school children may involve such arrangements as dual enrollment, educational television, or other appropriate services or techniques made available by, and under the supervision of, a public agency.

(c) *Avoidance of separate classes.* Any program or project to be carried out on public premises and involving joint participation by students enrolled in public schools and nonpublic schools shall include such provisions as are necessary to avoid forming classes that are separated by school enrollment or religious affiliation.

(20 U.S.C. 1863(c)(2)(A)(iii))

Subpart D—Training of State and Local Educators

§ 160b.31 Grants for State Training Projects.

(a) *General.* The Commissioner is authorized to make grants to State educational agencies or consortia thereof for training persons engaged or preparing to be engaged as teachers or other educational personnel, or as supervisors in the education of the gifted and talented. Applications by these State agencies shall indicate whether the programs are to be conducted directly by the State educational agency or through grants by the State educational agencies to institutions of higher education.

(b) *Priority.* (1) If the State submits an application under Subpart C and this subpart, the request for assistance shall be consolidated into a single application under Subpart C. Priority will be given to these applications. See § 160b.22(b) and § 160b.24(b).

(2) In the review of applications under this subpart, priority will be given to applications for grants to assist inservice training through such activities as workshops during the school year, summer institutes, part-time university courses, and the establishment of area training centers.

(20 U.S.C. 1863(d); Comm. Print, (1972) at p. 33)

§ 160b.32 Criteria for awards.

In order to achieve the purposes set forth in the Act, the Commissioner, in determining whether to approve an application for a grant and the amount of the grant pursuant to this subpart or as a component of a State grant under Subpart C, will consider the criteria in § 160b.6 (100 points) and the following criteria, weighted as indicated: (20 points)

(a) *General.* (1) (3 points) The extent to which the program, project, or activity demonstrates evidence of substantial commitment to continuation of training activities beyond the funding period;

(2) (2 points) The extent to which the application is coordinated with a State agency application under Subpart C to provide a training component in the provision of planning or developing programs for the gifted and talented in the State.

(b) *Activities.* (1) (2 points) The extent to which the project, program, or activity is concentrated upon participants who will actively serve in school systems in teaching or supervising the education of the gifted and talented.

(2) (3 points) The extent to which the proposed project is, or contributes to, an on-going training program which is of a scope to produce long-range and lasting changes in the education of the gifted and talented, e.g., conferences will be supported only when they are part of a more extensive training program.

(3) (2 points) The extent to which the application, if it proposes summer in-

stitutes or workshops, also proposes one or more follow-up sessions beyond the training that is Federally supported.

(c) *Resource Management.* (1) (3 points) The extent to which the application proposes utilizing as staff or consultants persons currently engaged in directing or providing service through differentiated education or services for gifted and talented students, or who have recognized expertise in the field of specialization related to the education of the gifted and talented, such as researchers, teacher trainers, and supervisors.

(2) (1 point) The extent to which an applicant State educational agency which proposes to conduct its training program through an institution of higher education will coordinate and make available all State resources necessary to enhance the quality and effectiveness of the training.

(d) *Selection of participants.* (1) (2 points) The extent to which the application indicates that the participants to be trained not only show promise of being successful teachers, or supervisors in the education of the gifted and talented, but also have a commitment from their local school districts to work in this educational field upon completion of their training.

(2) (2 points) The extent to which the application indicates that the participants have been chosen on the basis of past performance or assessed potential through the use of specified appropriate indices.

(20 U.S.C. 1863(d))

§ 160b.33 Allowable costs.

Grants under this subpart may be used for allowable costs in accordance with § 160b.7 for carrying out such training and where such training is carried out by an educational institution, may include provision for tuition and fees.

(20 U.S.C. 1863(d))

Subpart E—Leadership Personnel Training

§ 160b.41 Grants for leadership personnel training.

(a) *Purpose.* The Commissioner is authorized to make grants to assist programs involving specialized or intensive training for leadership personnel (as defined in § 160b.2) in the education of the gifted and talented children and youth.

(b) *Eligible parties.* Parties eligible for assistance under this subpart are institutions of higher education or other appropriate non-profit institutions or agencies.

(20 U.S.C. 1863(e))

§ 160b.42 Grant activities.

(a) *General.* Assistance under this subpart is available for activities designed to carry out the purposes of § 160b.41.

(b) *Priorities.* Priority in the award of assistance under this subpart will be given to training programs in the following categories:

(1) A graduate training program designed to train a limited number of exceptional leaders in the field of education of the gifted and talented for service in this field throughout the Nation as described in § 160b.43 ("graduate training program for leadership personnel");

(2) A program providing for a training institute for leadership personnel of actual and potential stature throughout the Nation in the education of the gifted and talented as described in § 160b.44 ("training institute for the gifted and talented"); and

(3) Programs providing for specialized internships for actual and potential leadership personnel throughout the Nation in the education of the gifted and talented, as described in § 160b.45 ("internships").

(c) It is anticipated that, for Fiscal Year 1976, a single grant award will be made in each of the above categories.

(20 U.S.C. 1863(e))

§ 160b.43 Graduate training program for leadership personnel.

Applications to carry out a training program for the development of leaders in the education of the gifted and talented shall set forth a program which:

(a) Provides intensive training (including graduate courses and practicums) concentrating on specific problems or areas of concern relating to the education of the gifted and talented;

(b) Includes adequate procedures for the selection of persons of potentially outstanding leadership ability in the education of the gifted and talented as participants in such program;

(c) Provides an opportunity, as part of such graduate training, for practical experience through an internship of not less than one semester in duration with a local, State or Federal agency or other public or private agency for which academic credit is given;

(d) Provides that the individual receiving training may obtain academic credit towards a degree for courses taken at institutions of higher education other than the one at which the participant is matriculated. Where several institutions of higher education are combined in a consortium, it is expected that the course of study will involve rotation among them; and

(e) Provides that each participant will develop, design, and complete a project designed to contribute to the improvement of education for the gifted and talented.

(20 U.S.C. 1863(e))

§ 160b.44 Training institute for gifted and talented.

Applications for a grant under this subpart to support the establishment and operation of a leadership personnel training institute for the education of the gifted and talented must demonstrate that the program for which assistance is requested will:

(a) Provide technical assistance and coordination services for short-term, intensive training institutes for leadership personnel carried out at the local level;

(b) Involve the conduct of periodic workshops and conferences on topics of importance in the education of the gifted and talented such as the culturally different gifted, the creative child, the affective development of the gifted child, the impact of the gifted child on his or her family;

(c) Arrange for the short-term training of teams of leadership personnel from local agencies or other appropriate public or private agencies or institutions or from organizations having nationwide impact on the education of the gifted and talented;

(d) Develop training materials for use by State and local educational agencies, schools, parent groups, and others relating to leadership in the education of the gifted and talented; and

(e) Provide a communication network for leadership personnel.

(20 U.S.C. 1863(f))

§ 160b.45 Internships.

(a) *General.* Assistance may be made available as part of a program carried out under § 160b.43, or § 160b.44 or under this section to support the provision of internships to train leaders or potential leaders in the education of the gifted and talented in local, State, or Federal agencies or other public or private agencies or institutions. These internships must offer unique opportunities for professional growth in serving the educational needs of the gifted and talented.

(b) *Use of funds.* Grant funds made available for internships under this subpart may be used for compensation for the interns in accordance with § 160b.7 (d).

(20 U.S.C. 1863(f))

§ 160b.46 Criteria for awards.

In addition to determining that an application under this subpart has met the applicable requirements of § 160b.3, the Commissioner will evaluate the application in accordance with the educational and programmatic criteria in § 160b.6 (100 points) and the following criteria:

(a) *General.* (50 points) The extent to which:

(1) The proposed training will provide a variety of experience, practical as well as academic (10 points);

(2) The proposed training will be of sufficient scope, quality, and duration to produce long-range and lasting changes (5 points);

(3) Provision is made for follow-up training after the initial training has ended (10 points);

(4) Participants are chosen on the basis of exceptional potential for successful leadership in advancing the education of the gifted and talented as evidenced by demonstrated ability, past performance, and assessed potential (15 points); and

(5) The quality of the training program (as evidenced by the experience and background of the proposed staff and

the plan for conducting the training) is exemplary in nature (10 points);

(b) *Graduate training program for leadership personnel.*

In the case of applications to carry out a program under § 160b.43, the following factors will be considered (50 points). The extent to which:

(1) (i) The activities are integrated into a total academic program for participant trainees, and

(ii) Provision is made for experienced advisors to work as mentors with the trainees at their academic institutions as well as during internship and academic or practicum work experiences at other institutions or locations (20 points);

(2) The training involves a practicum adequately designed to give participants experiential knowledge both in identifying or teaching the gifted and talented, and in administering programs for the gifted and talented (20 points);

(3) In the case of consortia, there is evidence that the written agreement among the participating institutions permits participants who have enrolled at one institution to attend or participate (for academic credit) in the courses, programs, seminars, or other instructional offerings, of any of the other participating institutions, including the experience gained during internships (10 points);

(c) *Training institute for gifted and talented.*

In the case of applications under § 160b.44, the following factors will be considered (50 points). The extent to which:

(1) The applicant possesses exceptional capability in carrying out training programs for the education of the gifted and talented (8 points);

(2) The applicant has resources to institute and maintain a nationwide communications network among those it trains or serves (8 points);

(3) The applicant has generated resources and outside support for its activities (8 points)

(4) The application demonstrates potential to organize and conduct conferences and institutes to train practitioners (teachers, parents, administrators, counselors, gifted students, and others) to better serve gifted and talented youth (8 points);

(5) The applicant demonstrates a capacity to provide developmental assistance to State educational agencies and local educational agencies and is able to employ this capacity in its training program (7 points);

(6) There is evidence of commitment to provide training through internships under this subpart (3 points);

(7) The applicant demonstrates a capacity to disseminate its products to practitioners in the field of the gifted and talented (4 points); and

(8) Evidence of experience in or potential for providing developmental and technical assistance to State educational agencies, local educational agencies, parent groups and other special target groups such as minority groups, urban education systems, isolated educational groups, etc. (7 points).

(20 U.S.C. 1869(c))

(d) *Internships.* In the case of internships under § 160b.45, the following factors will be considered (50 points). The extent to which:

(1) The agencies at which the interns are to be placed have made, or have the potential to make, a positive contribution to the education of the gifted and talented and are committed to doing so (10 points);

(2) The organization administering the intern program has a commitment to helping the interns to be suitably placed in their work experiences with mentors to guide them (12 points);

(3) The organization proposing to administer the intern program, because of evident potential to manage successful internship programs training educational leaders, has the capacity to manage the proposed program with a minimum organizational overhead (15 points);

(4) The agencies or institutions with which the interns will be placed have mounted, or will mount, programs on behalf of the gifted and talented in which the interns will be assigned meaningful participation (13 points).

Subpart F—Model Projects

§ 160b.51 Contracts for model projects.

(a) The Commissioner is authorized to enter into contracts with public and private agencies and organizations to establish and operate model projects. These model projects shall involve a program of activities as defined in § 160b.53, which is targeted toward a special category of the gifted and talented (such as bilingual, early childhood, handicapped, educationally disadvantaged, migratory, rural, native American, or culturally different).

(b) Funds available for the support of model projects may not exceed 15 percent of the total amount expended under the program in any fiscal year.

(20 U.S.C. 1863(g))

§ 160b.52 Eligible applicants.

(a) From funds reserved under the provision of subsection (g) of the Act, the Commissioner may enter into contracts with any public or private agency to establish or operate a model project which embodies all or most of the elements of such a project as defined in § 160b.53.

(b) The Commissioner may from time to time issue requests for proposals (RFP) to establish a model project as described in the specifications for such a proposal.

(20 U.S.C. 1863(g))

§ 160b.53 Elements of a model project.

A model project shall include the following elements:

(a) It must be targeted to identify and to meet the specific needs (through differentiated services as defined in § 160b.2) of a particular sub-group of the gifted and talented as referred in § 160b.51, in such areas as career education, bilingual education, early childhood education, the education of the handicapped, the educationally disadvantaged (such as migrant children and youth, urban poor and rural youth), the culturally different (such as ethnic minorities, Indians, and Eskimos), and others;

(b) It must demonstrate thorough knowledge of existing research practices and theory in the education of the gifted and talented in general and the defined sub-group in particular;

(c) It must show unique relation to the target population to be addressed and speak to needs critical to this group;

(d) It must demonstrate awareness of and optimal use of available resources, human and material, on local, State, regional, or national levels, including resources of allied fields;

(e) It must employ models and strategies which can be generalized by such means as multi-media packages for dissemination to similar target populations and are designed for replication in whole or in part;

(f) It must employ applied research and measurement methods with provision for formative and summative evaluation;

(g) It must make provision for site visits, demonstrations, and dissemination of program information to the public, including workshops or conferences for this purpose; and

(h) It must demonstrate contributions and input from parents of target group students and concerned community organizations.

(20 U.S.C. 1863(g))

§ 160b.54 Criteria for awards.

In reviewing proposals for contracts under this subpart, the Commissioner will consider requirements and criteria set out in § 160b.3 and the following:

(a) *Project design.* (1) The extent the proposal demonstrates an innovative approach to the education of a targeted group of the gifted and talented;

(2) The extent to which the proposal exhibits elements of a model project set out in § 160b.53;

(b) *Needs assessment.* The extent to which the proposal delineates the existence of special educational needs for a targeted segment of the gifted and talented and proposes to meet those needs;

(c) *Statement of objectives.* The extent to which the proposal sets forth measurable objectives for the model project in relation to the identified needs of the targeted group of students which are realistically attainable within the limits of the award and the available resources.

(d) *Resource management.* The extent to which the proposal demonstrates that:

(1) Currently available resources will be integrated into the project; and

(2) The portion of project costs to be funded by the Federal government is reasonable in order to attain the expected benefits.

(e) *Staffing.* The extent to which the background, training, and experience of

the staff is relevant to engaging in the education of the gifted and talented and particularly relevant to the needs of the targeted group.

(f) *Coordination.* The extent to which (1) the model project will provide a demonstration element for other school personnel both public and private interested in the education of the gifted and talented, and (2) the extent to which the model project can accommodate the services of and provide experience for interns as authorized under Subpart E.

(g) *Evaluation.* The extent to which the proposal provides for periodic self-evaluation, the results of which will influence the further thrust of the project.

(h) *Replicability.* The extent to which the model project is cost effective in terms of the Federal investment therein and would be replicable by others without extensive investment; and

(i) *Dissemination.* The extent to which the proposed project demonstrates a substantial commitment of monetary and human resources for the purpose of (1) organizing final results and products in exportable form; and (2) providing training opportunities for personnel from other agencies and institutions desiring to utilize a similar model or program.

(20 U.S.C. 1865(g))

[FR Doc 76-13055 Filed 5-5-76;8:45 am]

APPENDIX 6-B

SELECTED BACKGROUND INFORMATION ON THE
GIFTED AND TALENTED PROGRAM
FROM THE
U.S. OFFICE OF EDUCATION

Includes:

Fact Sheet on the Office of Gifted and Talented

Definition of Gifted and Talented

Program Funding History

Evaluations

Applicants Funded, Fiscal Year 1976

FACT SHEET ON THE OFFICE OF GIFTED AND TALENTED

The Office of Gifted and Talented was established within the U.S. Office of Education by the Commissioner in 1972 as a result of the need for Federal assistance established by the Report to Congress on Education of the Gifted and Talented, March, 1972. Legislative authority and funding was first provided in 1975 under the Special Projects Act of the Elementary and Secondary Education Amendments (P. L. 93-380).

During FY 1976, the first year of funding, the allocation for the gifted and talented program was $2.56 million. Funds were awarded to 53 projects throughout the United States, including six model projects (Subpart F 160b.51), 25 State projects (Subpart C 160b.21), 18 local educational agencies (Subpart C 160b.23), three leadership training institutes (Subpart E 160b.41) of which there is one program for graduate training at the masters and doctorate level, one internship program and one training institute. Additionally, a contract was awarded for the development of information services under Subpart B 160b.11.

Some of the objectives for programs at the State level include implementation of service programs, provisions for pre-service and in-service training, establishment of model demonstration programs, and arrangements for dissemination of ideas and materials. State plans have included such project titles as In-service Training for Teachers, Student Service Centers, Statewide Capacity Building for Gifted and Talented Children, Mainstreaming Project, Regional Leadership Clusters Project, Multi-State Consortium, and various other overall State programs.

Model projects and local education agencies display a wide range of innovative methods of educating gifted and talented students. Diverse areas of gifted and talented are representated by programs for the arts, science, language arts, bilingual and career education at the preschool, elementary, and secondary levels. Examples of model projects have included one which identifies gifted and talented culturally diverse, urban youth through theater techniques and development of academic, artistic, dramatic, musical, and literary forms of expression. Another focuses on developing procedures for early identification of gifted and talented preschoolers in a rural setting with follow-up programming provided upon entrance into first grade.

Other projects at local levels have concentrated on reaching and identifying the gifted and talented of particular cultural groups such as Hispanic Americans, Indians, and Appalachian children. These programs are designed to encourage the development of children's strengths in such areas as leadership, creativity, and knowledge of their culture.

Finally, the National Training Institute on Gifted and Talented and the Policy Fellows Program are two programs which provide opportunities for individuals committed to the training of leaders in gifted education through involvement in administrative positions which influence education for the gifted and talented. Additionally, fellowships for graduate training leading to a degree are offered by the National Graduate Training Program.

DEFINITION OF GIFTED AND TALENTED

Public Law 91-230, Section 806, states that the Commissioner of Education shall define "gifted and talented" for purposes of Federal education programs. The definition established by the advisory panel reads:

> Gifted and Talented children are those identified by professionally qualified persons who by virtue of outstanding abilities, are capable of high performance. These are children who require differentiated educational programs and/or services beyond those normally provided by the regular school program in order to realize their contribution to self and society.
>
> Children capable of high performance include those with demonstrated achievement and/or potential ability in any of the following areas, singly or in combination:
>
> 1. general intellectual ability
> 2. specific academic aptitude
> 3. creative or productive thinking
> 4. leadership ability
> 5. visual and performing arts
> 6. psychomotor ability.
>
> It can be assumed that utilization of these criteria for identification of the gifted and talented will encompass a minimum of 3 to 5 percent of the school population.
>
> Evidence of gifted and talented abilities may be determined by a multiplicity of ways. These procedures should include objective measures and professional evaluation measures which are essential components of identification.
>
> Professionally qualified persons include such individuals as teachers, administrators, school psychologists, counselors, curriculum specialists, artists, musicians, and others with special training who are also qualified to appraise pupils' special competencies.

PROGRAM FUNDING HISTORY

Special Projects Act (P.L. 93-380, Provisions for Gifted and Talented Children, Section 404)

Education for the nation's gifted and talented children has emerged as an important educational priority among the nation's educators and the U.S. Office of Education in recent years. For more than fifty years there had been numerous studies which showed that the unique abilities and skills of the gifted require special provisions which often are not available in their schools; these findings, however, were not implemented in any significant way throughout the country.

A short-lived national focus on the gifted was begun in the early 1960's when the U.S. Congress, spurred by the success of the Russians in launching Sputnik, initiated the educational programs of the National Defense Education Act of 1958. These programs emphasized math and science and were an attempt to interest the brightest young minds of the country in technology. The impetus of this program did not have a lasting effect in the educational system, and by the late 1960's programs or provisions for the gifted were not widespread.

Against this background, a White House task force began work on a report for then President Lyndon Johnson in 1967 which was to have been the basis of White House policy for the gifted and talented had the President remained in office. He did not develop such a policy and the report was not made public until 1974 with the opening of the Johnson Library in Austin, Texas, which houses the official papers from the Johnson administration.

In 1969, however, the Amendments to the Elementary and Secondary Education Act (Public Law 91-230) contained a section titled "Provisions related to gifted and talented children". This amendment, unanimously passed in the House and Senate, provided for two specific changes in existing legislation. It explicated congressional intent that the gifted and talented student should benefit from Federal education legislation--notably titles III and V of the Elementary and Secondary Education Act and the teacher fellowship provisions of the Higher Education Act of 1966. Section 806 also directed the Commissioner of Education to conduct a study to:

1. "Determine the extent to which special educational assistance programs are necessary or useful to meet the needs of gifted and talented children.
2. Show which Federal education assistance programs are being used to meet the needs of gifted and talented children.
3. Evaluate how existing Federal educational assistance programs can be more effectively used to meet these needs.
4. Recommend new programs, if any, needed to meet these needs."

The study was carried out by the U.S. Office of Education and submitted to Congress in 1971. A summary of the major findings of the study follow:

- A conservative estimate of the gifted and talented population ranges between 1.5 and 2.5 million children out of a total elementary and secondary school population (1970 estimate) of 51.6 million.
- Existing services to the gifted and talented do not reach large and significant subpopulations (e.g. minorities and disadvantaged) and serve only a very small percentage of the gifted and talented population generally.
- Differentiated education for the gifted and talented is presently perceived as a very low priority at Federal, State, and most local levels of government and educational administration.

- Although 21 States have legislation to provide resources to school districts for services to the gifted and talented, such legislation in many cases merely represents intent.

- Even where there is a legal or administrative basis for provision of services, funding priorities, crisis concerns, and lack of personnel cause programs for the gifted to be miniscule or theoretical.

- There is an enormous individual and social cost when talent among the Nation's children and youth goes undiscovered and undeveloped. These students cannot ordinarily excel without assistance.

- Identification of the gifted is hampered not only by costs of appropriate testing--when these methods are known and adopted but also by apathy and even hostility among teachers, administrators, guidance counselors and psychologists.

- Gifted and Talented children are, in fact, deprived and can suffer psychological damage and permanent impairment of their abilities to function well which is equal to or greater than the similar deprivation suffered by any other population with special needs served by the Office of Education.

- Special services for the gifted (such as the disadvantaged) and talented will also serve other target populations singled out for attention and support.

- Services provided to gifted and talented children can and do produce significant and measurable outcomes.

- States and local communities look to the Federal Government for leadership in this area of education, with or without massive funding.

- The Federal role in delivery of services to the gifted and talented is presently all but nonexistent.

As a result of the findings of this study, the U.S. Commissioner of Education established within the U.S. Office of Education an advocate office, The Office for Gifted and Talented, to maintain continuing program responsibility for education of the gifted and talented within the agency. There was no appropriated funding specific to this office or this program, however, the Commissioner directed to this purpose the expenditure of salaries and expense monies, and certain parts of authorities which contained discretionary funds, and he encouraged the attention of other programs to education of the gifted and talented.

Fiscal Year	1972	1973	1974
Program Year	1972-73	1973-74	1974-75
Appropriation*	none	none	none
National-State Leadership Training Institute	(EPDA) $ 200,000	(EPDA) $ 400,000	(EPDA) $ 500,000
Clearinghouse for Gifted and Talented		(NIE-ERIC) $ 50,000	(NIE-ERIC) $ 80,000
Research	(NCERD) $ 60,000	---	---
Regional Interstate Projects			(Title V) $ 230,000
Career Education Curriculum Devlpt.	(BOAE) $ 30,000		$ 250,000
	$ 290,000	$450,000	$1,060,000

* All program support from sources indicated in parentheses

The Emergency School Assistance Act of 1958 contained specific mention of the gifted and talented as both an eligible target population and eligible activity for programs as authorized under this Act which were designed to reduce racial isolation. There is anecdotal information to support the contention that ESAA funds were sometimes used for these purposes throughout the country, but no data exists on the actual amounts awarded for programs for the gifted.

In 1975, the Elementary and Secondary Education Amendments (P.L. 93-380) included the Special Projects Act which provided for the first time ever, legislative authority and funding specific to education for the gifted and talented. The Special Projects Act contains within it, instructions for a pro rata share to each of the several program areas which it incor-

porates. The share for the Gifted and Talented is 6.25% of the total amount which is available for pro-ration exclusion of the Commissioner's 50% "set-aside". Fiscal Year 1976, the first year in which the Special Projects Act became effective, the allocation to the program for the gifted and talented was $2,560,000. For Fiscal Year 1977 the allocation was the same.

Regulations were developed for the program and published in final form on May 6, 1976. They permit support to State Education Agencies, local education agencies for programs and projects in gifted and talented education; to institutions of higher education and other appropriate public and private agencies, including SEA's and LEA's, for leadership personnel training; and to both public and private, including profitmaking, agencies for the operation of model projects in provision of services to the gifted and talented. Authority also exists for the support of a clearinghouse for development and dissemination of information. Programs and projects supported in Fiscal Year 1976 under this authority were designated to 25 State Departments of Education and 18 local education agencies under Subparts C and D, and to two institutions of higher education and one local education agency for leadership training under Subpart E; and to six public and private non-profit agencies for operation of model projects under Subpart F. One contract award was made for development of information products as authorized under Subpart B.

All projects were generally designed to support activities which will increase the capacity of the States and other administrative systems to initiate, operate, and extend educational opportunities for the gifted and talented at pre-school, elementary and secondary levels. The Federal strategy has been to work cooperatively with the States and other public and non-public agencies to support catalytic activities which will have national impact and which will maximize the Federal investment through attraction of other public and private resources to education of the gifted and talented, resulting in the establishment of a national delivery system of services to this population.

EVALUATIONS

Prior to 1972 the Report to Congress by the U.S. Commissioner of Education provided the major piece of evaluation data available concerning federal efforts in education of the gifted and talented. The findings of this study are summarized in the earlier section of this report "program funding history".

There have been no formal evaluations by the agency of the Office of Education's initiative in the gifted and talented either for the period 1972 through 1974 while the Office for Gifted and Talented was solely an "advocacy" office within the agency, or since 1975 when the Office assumed responsibility for administration of Section 404 of the Special Projects Act.

Anecdotal information available to the Office for the period 1972-1974 does, however, provide evidence which suggests that the national interest generated by the advocacy efforts of the USOE is at least in part responsible for:

-- the significant increase in FTE State Education Agency personnel who devote at least part of their time to education of the gifted. The FTE assignment of persons to this responsibility more than doubled in 1972-1974.

-- the training of leadership planning teams from 42 States with the development of State plans for initiating or strengthening of education for the gifted in those States.

— the direction of more than $1.9 million in funding to education for the gifted from other USOE resources.

— the development of increased national interest in gifted education which resulted in support from the private sector and foundations to a variety of States, LEAs and agencies.

The first year of funding under Section 404 of the Special Projects Act produced fifty-three (53) awards for programs which began in September 1976. In the course of the award period, each of these projects will evaluate thier progress and should provide data useful in the determination of the validity of the Special Projects Act.

Of these fifty-three awards, twenty-five (25) are awards to State departments of education for initiation, improvement, or expansion of statewide programs for gifted and talented. Thirty-four States are directly invovled.

Three awards are for national leadership training. One project will annually support 18 persons who are working toward a doctorate in education of the gifted and talented and who will become the leadership personnel in the field. One project supports more than 20 post-graduate policy fellows who are placed with agencies which administer or develop national, regional, or state policy affecting education of the gifted and talented. The third project organizes and provides support to the training of administrators to assist them in planning and implementing programs for the gifted and talented throughout the country. Teams from more than 40 states have been involved in this training.

Six awards support exemplary projects which serve as demonstration sites. These models are preparing program materials for dissemination on their special areas: delivery of services to the gifted in rural areas; reaching disadvantaged gifted through the arts; creativity in science; community-based mentorships; early childhood handicapped gifted and childhood gifted.

Eighteen awards of under $20,000 have been made to exemplary projects in local education agencies throughout the United States.

One national information contract is producing consumer-oriented publications such as pamphlets for parents, teachers, and the general public.

One preliminary indicator of the value of these programs and the Special Projects Act as a source of federal assistance for gifted education can be inferred by examining the demand data. Over four hundred (400) proposals were received from States and local education agencies throughout the country in response to the first year's announcement of funding availability. In the second year, nearly one thousand (1000) applications were received.

Applicants Funded

Office of the Gifted and Talented
Public Law 93-380, Section 404, Special Projects Act
Fiscal Year 1976

ew Identification tract/Grant # ject Officer	Principal Investigator Applicant /Telephone#	Title of Project GRANTS - November 14, 1975	Amount $ by C/G	Duration of Project	T c P
Jane Case Williams 2007601833	213/489-7470 562H60006 Irving Sato Ventura County Bd. of Education County Office Bldg. Ventura, CA 93001	National Training Institute on the Gifted and Talented	$165,000 G $165,000 C	4/1/76 3/31/77 12 mths	NTI
Jane Case Williams 2007603234	202/833-1737 562H60021 Samuel Halperin George Washington University 1001 Connecticut Ave Suite 310 Washington, D.C. 20036	Policy Fellows for the Gifted Child (Additional Supplemental Award 562BH60021A $19,880 -- Total Award $89,880)	$70,000 $89,880	6/1/76 5/31/77 36 mths	NTI
Jane Case Williams 2007604306	212/678-3865 562H60019 Abraham J. Tannenbaum Teachers College, Columbia University 525 West 120th Street P.O. Box 223 New York, NY 10027	Graduate Training Program for Gifted and Talented and Intern Program	$190,000 $190,000	7/1/76 6/30/77 36 mths	GTI

Applicants Funded

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Fiscal Year 1976

...u Identification ...ract/Grant # ...ect Officer	Principal Investigator Applicant /Telephone)	Title of Project GRANTS -- November 24, 1975	Amount $ by C/G	Duration of Project	Typ of Prj
...ne Case Williams ...07604934	205/832-3230 S62AH600236 Sue Akers Alabama State Dept of Educ 868 State Office Bldg. Montgomery, AL 36130	Alabama Plan of Action for Gifted and Talented	$62,000 GT $62,000 CG	8/15/76 8/14/77 24 mths	SEA
...e Case Williams ...07604926	916/322-3776 S62AH600028 Sieg F. Efken California State Dept of Education 721 Capital Mall 3rd Floor Sacaramento, CA 95814	Development of Teaching Competencies - Gifted and Talented	$100,000 $100,000	8/15/76 8/14/77 12 mths	SEA
...e Case Williams ...07604935	303/892-2111 S62AH600244 Gerald Villars Colorado Dept of Educ 201 East Colfax State Office Building Denver, CO 80203	A State Project for the Gifted and Talented in Colorado	$30,000 $30,000	8/15/26 8/14/77 24 mths	SEA
...e Case Williams ...07604938	904/488-1570 S62AH60321 Landis M. Stetler Florida Dept of Educ 319 Knott Building Tallahassee, FL 32304	Gifted - A Member of the Florida Learning Resources	$65,000 $65,000	9/1/76 8/31/77 24 mths	SEA

Office of the Gifted and Talented
Public Law 93-380, Section 404, Special Projects Act
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Grant Identification Contract/Grant # Project Officer	Principal Investigator Applicant/Telephone#	Title of Project	Amount $ by C/G	Duration of Project	Type of Project
Jane Case Williams G007604112	404/656-2578 562NH60034 Margaret Bynum Georgia State Department of Education Curr Dev & Pupil Personnel Services State Office Bldg. Atlanta, GA 30334	Statewide Planning and In-Service for Gifted/Talented	$65,000 GT $65,000 CG	9/1/76 8/31/77 24 mths	SE
Jane Case Williams G007604936	808/548-6923 562NH60292 Miles Kawatachi Hawaii State Department of Education Special Needs Branch P.O. Box 2360 Honolulu, Hawaii 96808	Development of State Plan for the Gifted/Talented Pilot-Testing of Prototype State Project for a Comprehensive Language Art and Fine Arts Center Tom Hale (808/548-6414) Program Specialist Exceptional Childrens Section Same Address	$65,000 $65,000	8/15/76 8/14/77 24 mths	SE
Jane Case Williams G007604932	208/384-2203 562NH60202 Judy Schrag Idaho State Department of Education Len. B. Jordan Office Bldg. Boise, ID 83720	SAGE: Statewide Assistance for Gifted Education	$65,000 $65,000	8/15/76 8/14/77 24 mths	SE
Jane Case Williams G007604114	515/281-3264 562NH60376 Edith Munro Iowa Department of Public Instruction Grimes State Office Bldg. Des Moines, IA 50319	Iowa Gifted and Talented Project	$40,000 $40,000	9/1/76 8/31/78 24 mths	SE

Applicants Funded

Office of the Gifted and Talented
Public Law 93-380, Section 404, Special Projects Act
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Identification ct/Grant # t Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/G	Duration of Project	Type of Proj
Case Williams 604930	502/564-5587 S62AH60150 Joseph T. Clark Kentucky Department of Education 1827 Capital Plaza Frankfort, KY 40601	Kentucky Program for Gifted/Talented Education	$65,000 GT $65,000 CG	8/31/76 8/31/77 24 mths	SEA
Case Williams 604820	207/289-3451 S62AH60026 John T. Kierstead Maine Dept. of Educ't'l/ Cultural Servicer State House Educ't'l Bldg. Agusta, ME 04333	Statewide Capacity-Building Grant for Gifted and Talented Education	$25,000 $25,000	8/15/76 8/14/77 12 mths	SEA
Case Williams 604928	301/796-8300 ex. 318 S62AH60109 James L. Fisher Maryland Dept. of Educ. P.O. Box 8718 BWI Airport Baltimore, MD 21240	A Capacity Building Program to Improve Educational Services for Gifted and Talented Students in Maryland	$43,000 $43,000	9/1/76 8/31/77 12 mths	SEA
Case Williams 604931	617/727-5756 S62AH60176 Roselyn Frank Massachusetts Dept. of Education Bureau of Student Services 182 Tremont Street Boston, MA 02111.	Student Service Center/Student Advisory Council Leadership Training Project	$60,000 $60,000	8/15/76 8/14/77 24 mths	SEA

Applicants Funded

Office of the Gifted and Talented

Public Law 93-380, Section 404, Special Projects Act

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u Identification act/Grant # ct Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/G	Duration of Project	Type of Prjt
e Case Williams 7604939	601/354-6950 562AH60326 Walter H. Moore Mississippi State Dept. of Education P.O. Box 771 Jackson, MS 39205	Coordination, Personnel Development and Model	$60,000 GT. $60,000 CG	9/1/76 8/31/77 24 mths	SEA
s Case Williams 7604113	314/751-2965 562AH60371 Roland J. Werner Missouri State Bd. of Educ. Dept. of Elem/Secd Educ. P.O. Box 480 Jefferson City, MO 6510	Training Institute for Gifted and Talented	$20,000 $20,000	9/1/76 8/31/77 24 mths	SEA
s Case Williams 7604827	402/471-2465 562AH60395 M. Ann Campbell Nebraska Dept. of Educ. 301 Centennial Mall South Lincoln, NB 68509	Nebraska Inservice Model for Teachers of Gifted/ Talented	$25,000 $25,000	8/15/76 8/14/77 24 mths	SEA
s Case Williams 7604824	609/589-3410 ex. 22 562AH60110 Ted Courley New Jersey Dept. Consortium Educat'l Improvement Center-South P.O. Box 426 Pitman, NJ 08071	The Northeast Exchange: A Multi-State Consortium for the Gifted and Talented STATES INCLUDED: New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont	$65,000 $65,000	8/15/76 8/14/77 24 mths	SEA

Applicants Funded

Office of the Gifted and Talented
Public Law 93-380, Section 404, Special Projects Act
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...u Identification ...act/Grant # ...ct Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/G	Duration of Project	Type of Proj
...ne Case Williams ...07604826	578/474-5897 562AW60245 Gordon E. VanHooft New York State Education Department Div. of Curr Services Washington Avenue Albany, NY 12234	New York State Grant for Planning and Developing Services to Gifted and Talented Roger Ming 578/674-5897	$50,000 $50,000	8/15/76 8/14/77 24 mths	SEA
...ne Case Williams ...07604303	919/829-7931 Cornelia Tongue North Carolina State Department of Public Instruction Div. of Except'l Children Raleigh, NC 27611	Mainstreaming Early Childhood Gifted and Talented Program Planning and Implementation Shirley Richie (704/597-2171 ex. 234) College of Human Development and Learning University of North Carolina Charlotte, NC 28223	$62,000 $62,000	7/15/76 7/14/76 24 mths	SEA
...ne Case Williams ...07604937	701/224-2279 562AW60314 Janet M. Smaltz North Dakota Department of Public Instruction State Capital Bismarck, ND 58505	Development of Education of Gifted and Talented Students in North Dakota	$32,000 $32,000	8/15/76 8/14/77 24 mths	SEA

Applicants Funded

Office of the Gifted and Talented
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...ou Identification ...ract/Grant # ...ect Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/C	Duration of Project	Typ of Prj
...e Case Williams ...7604821	717/787-9880 562AH60048 T. Noretta Bingaman Pennsylvania Department of Education Div. of Special Education P.O. Box 911 Harrisburg, PA 17126	"Right to Education System for the Gifted and Talented — A Pioneer State Model"	$36,000 GT $36,000 CO	8/15/76 8/14/77 24 mths	SEA
...e Case Williams ...7604927	803/758-2652 562AH60055 James H. Turner South Carolina Department of Education Rutledge State Office Bldg. 1429 Senate Street Columbia, SC 29201	State Activities for the Gifted and Talented	$55,000 $55,000	9/1/76 8/31/77 24 mths	SEA
...e Case Williams ...7604940	605/224-3371 562AH60339 Robert L. Hucking South Dakota Division of Elementary and Secondary Education State Office Bldg. #3 Pierre, SD 57501	South Dakota Project for Education of the Gifted and Talented	$55,000 $55,000	8/15/76 8/14/77 12 mths	SEA
...e Case Williams ...7604822	512/475-6582 562AH60078 Ann G. Shaw Texas Educati... Agency 201 East 11th Austin, TX 78746	Regional Leadership Clusters Project (Additional Supplemental Award 562AH60078A $24,000 — Total Award $89,000)	$65,000 $89,000	8/15/76 8/14/77 24 mths	SEA

Applicants Funded

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Public Law 93-380, Section 404, Special Projects Act
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...au Identification ...tract/Grant # ...ject Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/G	Duration of Project	Ty of Pr
...ne Case Williams ...007604823	608/266-2658 562/W60000 Russell Mosely Wisconsin Department of Public Instruction Div. for Instruc Services 126 Langdon Street Madison, WS 53702	Multi-State Proposal for Gifted and Talented Students Under P.L. 93-380 States Included in Wisconsin Consortium: Illinois Michigan Ohio Indiana Minnesota Wisconsin	$200,000 GT $200,000 CG	8/15/76 8/14/77 24 mths	SEA
...ne Case Williams ...007604799	307/777-7411 562/W60212 Kathy Erickson Wyoming State Department of Education Hathaway Building Cheyenne, WY 82002	Project GIFTS: Giftedness - Inquiry for Students	$55,000 $55,000	8/15/76 8/14/77 12 mths	SEA

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Applicants Funded

Office of the Gifted and Talented
Public Law 93-380, Section 404, Special Projects Act
Fiscal Year 1976

...u Identification ...act/Grant # ...ct Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/G	Duration of Project	Typ of Prj
...e Case Williams ...7604851	614/593-3511 562AH60235 Paris Roland Nelsonville-York City Schools Southern OH Regl. Ed. Svc AGY 52 University Terrace Athens, OH 45701	A Cooperative, Rural Based Approach to Development of Educational Programs for Gifted and Talented	$16,060 GT $16,060 CG	8/15/76 8/14/77 12 mths	LEA
...e Case Williams ...7604792	215/387-1337 (8,9) 562AH60091 Nora Cohen Schl. Dist. of Philadelphia Div. of Schl Srvs/ Bd. of Education 3236 Powelton Avenue Philadelphia, PA 19104	Identification of Elementary Spanish Speaking (Puerto Rican) Gifted	$1[illegible],735 $15,464	8/15/76 8/14/77 12 mths	LEA
...e Case Williams ...7604852	703/679-2180 562AH60261 Jack Turner Dilenowisco Educational Cooperative 1031 Virginia Ave. NW. Scott City School Division Norton, VA 24273	Dilenowisco Gifted and Talented Supplemental Project	$18,435 $18,320	9/1/76 8/31/77 12 mths	LEA
...e Case Williams ...7604796	509/575-3260 562AH60131 Mona Stacy Yakima Schl District #7 104 North Fourth Avenue Yakima, WA 98902	Developing Leaders Through Future Aimed Curriculum	$12,000 $11,940	9/1/76 8/31/77 12 mths	LEA

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Public Law 93-380, Section 404, Special Projects Act
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Grant Identification Contract/Grant # Project Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/G	Duration of Project	T P
Jane Case Williams GC07604929 David Burkman	218/722-4731 ex. 212 562AH60135 Thomas D. Peacock Independent Schl Dist # 709 Central Administration Bldg. Lake Street & Second Ave. Duluth, MN 55802	Identifying and Serving Indian Gifted and Talented	$15,911 GT $15,911 CG	8/15/76 8/14/77 12 mths	LI
Jane Case Williams GC07604854	201/337-7058 562AH60296 Gina Ginsberg Northern Highland Regional High School Hillside Avenue Allendale, NJ 07401	Gifted and Talented Children - Local Educational Agencies	$2,628 $8,021	8/15/76 8/14/77 12 mths	LI
Jane Case Williams G007604800	603/431-5080 or 7802 562AH60235 Win Suffern Portsmouth School System Little Harbor School Clough Drive Portsmouth, NH 03801	Assistance to Local Agency for Planning, Development, Operation and Improvement of Programs for the Gifted and Talented Student	$16,000 $16,000	8/15/76 8/14/77 12 mths	LI
Jane Case Williams G007604853	212/678-2918 562AH60276 Gilbert Turchin Community Schl Dist #3 300 West 96th Street New York, NY 10025	Leadership Program	$15,993 $14,393	8/15/76 8/14/77 12 mths	LI
Jane Case Williams G007604795	212/257-7525 562AH60126 Donald Kaplan Community Schl Dist #18 755 East 100th Street	OPEN GATES (Opportunity for Providing Effective Nuture for Gifted and Talented Elementary Students	$17,162 $17,234	8/15/76 8/14/77 12 mths	LI

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Applicants Funded

Office of the Gifted and Talented
Public Law 93-380, Section 404, Special Projects Act
Fiscal Year 1976

u Identification act/Grant # ct Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/G	Duration of Project	Type of Proje
m Case Williams 7604793	312/641-4587 S62A160100 Ethel K. Maxwell Chicago Bd. of Educ. 228 N. LaSalle Street Room 1114 Chicago, IL 60601	LEA Program for Gifted and Talented Students	$10,071 GT $10,071 CG	8/15/76 8/14/77 12 mths	LEA
e Case Williams 7604790	812/336-0291 ex. 69 S62A160033 Donna H. Berg Monroe County Community Schools 3901 Kinser Pike Bloomington, IN 47401	Advocacy Center for Talent	$16,059 $16,059	8/15/76 8/14/77 12 mths	LEA
e Case Williams 7604855	913/462-6781 S62A160358 Gilbert Caudill Northwest Kansas Educat'l Cooperative 135 West 6th Street Colby, KS 67701	Implementation of Programs for 18 Unified School Districts	$8,000 $8,000	8/15/76 8/14/77 12 mths	LEA
e Case Williams 7604797	504/288-6561 ex. 326 S62A160164 Shirley T. Corey New Orleans Parish School Board Div of Cultural Services 4100 Torre Street New Orleans, LA 70122	Program for the Gifted and Talented	$16,888 $16,433	8/15/76 8/14/77 12 mths	LEA

Applicants Funded

Office of the Gifted and Talented
Public Law 93-380, Section 404, Special Projects Act
Fiscal Year 1976

Identification ct/Grant # t Officer	Principal Investigator Applicant /Telephone#	Title of Project GRANTS - November 24, 1975	Amount $ by C/G	Duration of Project	Type of Prjt
Case Williams 604795	602/791-6920 562/W160226 Nathan I. Krevitsky Tucson Schl District #1 2025 East Winsett Street Tucson, AR 85719	Project Synergy	$17,777 GT $17,580	9/1/76 8/31/77 12 mths	LEA
Case Williams 604789	408/736-4981 ex. 37 (8) 562/W600021 Rachel Hamlin Sunnyvale Schl District 750 West Arques P.O. Box 217 Sunnyvale, CA 94088	Project LEADER - Leadership Experienced and Development with Exemplary Results	$14,014 $14,014	9/1/76 8/31/77 12 mths	LEA
Case Williams 604798	305/322-0150 562/W160186 Nancy DuSan Seminold County Schl Bd Idyllwilde Elementary Schl Vihlen Road Sanford, FL 32771	Mobile Field Lab for Enrichment	$15,980 $15,240	9/1/76 8/31/77 12 mths	LEA
Case Williams 604791	912/283-8494 562/W160046 Jean B. Mays Okefenokee Cooperative Educational Service Agency Route 5 Box 406 Waycross, GA 31501	Gifted and Talented Project for Okefenokee Area Schools	$15,192 $15,175	9/1/76 8/31/77 12 mths	LEA

Applicants Funded

Office of the Gifted and Talented
Public L[illegible] 93-380, Section 404, Special Projects Act
Fiscal Year 1976

Identification ct/Grant # t Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/G	Duration of Project	Type of Prjt
Case Williams 604794	301/279-3164 562AH60111 Elizabeth C. Wilson Montgomery County Schls. Div. of Curr/Instruction 850 North Hungerford Dr. Rockville, MD 20850	Systematic School System Support of Alternate Models of Qualitatively Differentiated Instruction	$16,085 $16,085	9/1/76 8/31/77 12 mths	LEA

Applicants Funded

Office of the Gifted and Talented

Public Law 93-380, Section 404, Special Projects Act

Fiscal Year 1976

Identification ct/Grant # t Officer	Principal Investigator Applicant /Telephone#	Title of Project April 12, 1976 — ASSISTANCE CONTRACTS	Amount $ by C/G	Duration of Project	Type of Prjt
Case Williams 76-0440	916/246-5520 or 5143 562CH60008 Ruth Alling Shasta County Superintendent of Schools 1640 Magnolia Redding, CA 96001	Model Project for Implementing a Program for Gifted and Talented in Rural Schools	$41,461 GT $41,461 CG	9/1/76 8/31/77 36 mths	EO
Case Williams 76-0441	206/543-4160 562CH60022 Halbert B. Robinson University of Washington Child Development Research Group NI-20 Seattle, WA 98105	Model Preschool Program for Gifted Children	$41,671 $41,671	9/1/76 8/31/77 36 mths	EO
Case Williams 76-0442	212/295-0200 562CH60028 Vincent Galasso Bronx High Schl of Science New York City Bd. of Educ 75 West 205th Street Bronx, NY 10468	Model Project for the Creatively Gifted and Talented in Science	$41,859 $41,859	9/1/76 8/31/77 36 mths	EO
Case Williams 76-0443	203/378-7321 or 624-3444 562CH60029 Mary Hunter Wolf Center for Theater Techniques in Educ. of the American Shakespear Theater 1850 Elm Street Stratford, CT 06497	Identification of High Potential in Culturally Diverse Students Through Integrative Experience	$41,650 $41,650	9/1/76 8/31/77 36 mths	EO

Applicants Funded

Office of the Gifted and Talented
Public Law 93-380, Section 404, Special Projects Act
Fiscal Year 1976

Identification t/Grant # Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/G	Duration of Project	Type of Prjt
Case Williams 76-0444	212/682-3339 562CH60030 Mary Conway Kohler National Commission on Resources for Youth 36 West 44th Street New York, NY 10036	Model Project for the Gifted and Talented in a Community-Based Mentor Program	$41,650 GT $41,650 CG	9/1/76 8/31/77 36 mths	EO
Case Williams 76-0445	208/667-9478 562CH60037 Gail E. Hanlinen Panhandle Child Development Association, Inc. 421 1/2 Sherman Avenue Coeur d' Alene, ID 83814	Rural Preschool Program for Gifted and Talented	$41,709 $41,709	9/1/76 8/31/77 36 mths	EO

686.

Applicants Funded

Office of the Gifted and Talented

Public Law 93-380, Section 404, Special Projects Act

Fiscal Year 1976

eau Identification tract/Grant # ject Officer	Principal Investigator Applicant /Telephone#	Title of Project	Amount $ by C/G	Duration of Project	Ty o Pr
		INFORMATION SERVICES CONTRACT - August 27, 1976			
Jane Case Williams 300-76-0530 RFP-76-80	703/620-3660 ex. 212 4432160036 Donald Erickson The Council for Exceptional Children 1920 Association Drive Reston, VA 22091	Information Services for the Gifted and Talented	$116,120.	10/1/76 9/30/77 12 mths	PO

APPENDIX 7-A

federal register

WEDNESDAY, APRIL 21, 1976

PART III:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

METRIC EDUCATION PROGRAM

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 160a—DIRECT PROJECT GRANT AND CONTRACT PROGRAMS

PART 160a—METRIC EDUCATION PROGRAM

Notice of proposed rulemaking was published in the FEDERAL REGISTER on September 8, 1975 (40 FR 41670–41674), setting forth regulations for the Metric Education Program (Section 403, Title IV of the Education Amendments of 1974, Pub. L. 93–380). This regulation is one aspect of the Special Projects Act, the intent of which is to implement the Metric Education Program.

A. *Summary of comments changes in the regulations.*

Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed rules. About 30 comments were submitted to the Office of Education in writing and a summary of those comments follows. After each comment, a response is set forth discussing the comment and stating changes which have been made in the regulation or the reason(s) why no change is deemed necessary. General comments on the regulation are set forth first, followed by specific comments arranged in order of the sections of the regulation to which they pertain. Several technical and typographical corrections were made.

1. *Comments.* Several commenters wanted clarification on the extent to which adults are included as beneficiaries of the Metric Education Program.

Response. Participation of adults is provided in the regulations as a program objective (160a.2(a)). Specific references to adults in the several projects are located at §§ 160a.13(b)(3) and (4), 160a.14(b)(2), and 160a.15(f)(5). It is in this manner that adults receive the benefits of metric education.

2. *Comment.* Several commenters asked what role the Office of Education will have, if any, in State teacher certification.

Response. Section 160a.14(b)(3) requires that teacher development projects respond to the anticipated requirements for teacher certification, and § 160a.15(f)(3) requires that State and multi-State cooperative metric education planning include detailed plans for developing a statewide (or multi-State) master plan for metric education with a provision concerning implications for teacher certification. In both cases, anticipated changes in State teacher certification, if any, are implied. The mention of a curriculum which will "* * * respond to anticipated changes in requirements for teacher certification * * *" is made in the context of State teacher certification standards, not any Federal standard. The word "State" has been added in both § 160a.14(b)(3) and § 160a.15(f)(3).

3. *Comment.* Commenters asked whether State (Teachers) Colleges and Community Colleges are eligible for grants or contracts and for clarification of this matter in the regulation.

Response. No change was made in the regulation. To the extent that they satisfy other requirements, State Teachers Colleges and Community Colleges are eligible for grants and contracts as either "institutions of higher education" or "public and private nonprofit * * * institutions." The regulation closely follows the language of Sec. 403(b)(2) of the Act, hence no change was made in the regulation.

4. *Comment.* A commenter asked whether private high schools are eligible for grants or contracts.

Response. No change was made in the regulation. Section 403(a)(2) of the Act authorizes the Commissioner to make grants to or contracts with, among others, "private nonprofit * * * institutions." The same phrase is used in § 160a.11 of the regulation. A private nonprofit high school would, therefore, be eligible for a grant or contract if otherwise qualified. Questions of qualification of particular applications from private nonprofit institutions will be answered on an individual case basis.

5. *Comment.* A commenter suggested that the program goals stated (§§ 160a.1 and 2) are too ambitious.

Response. No change was made in the regulation. The Metric Education program is one of national scope and the stated goals appear to be justified in light of the Congressional intent that the Commissioner carry out a program of grants and contracts to encourage educational agencies and institutions to prepare students to use the metric system. The United States was the last large industrial nation to convert to the metric system (See Pub. L. 94–168, Metric Conversion Act of 1975). Many of the nation's industries are already converting or have converted to the Metric System.

6. *Comment.* A commenter suggests that the definition for "International System of Units" be deleted, and that the term "metric system" be defined as the International System of Units.

Response. No change was made in the regulation. The terms "International System of Units" and "Metric System" are both used by Congress in the Act, and both are defined in § 160a.3 of the regulations.

7. *Comment.* A commenter asked that the primary focus of the program be clarified.

Response. No change was made in the regulation. The primary focus of the program is, as stated in Sec. 403(a)(2) of the Act and in § 160a.1 of the regulation, "* * * to encourage educational agencies to prepare students to use the revised metric system of measurement * * * with ease * * * as a part of the regular educational program." Projects funded under this Metric Education Program should be of an exemplary nature, should have the effect of encouraging other projects to be patterned after them, or should benefit other projects.

8. *Comment.* A commenter suggested that a higher priority be accorded the statewide planning effort.

Response. No change was made in the regulation. State planning projects are one of the stated program objectives (§ 160a.2(f)) and are eligible for funding as one of the four types of projects on the basis of the same criteria as the other projects. It seems preferable to fund some school-based interdisciplinary projects this fiscal year as well as teacher development projects and technical support projects, rather than emphasize State planning projects.

9. *Comment.* A commenter has suggested that careful adherence should be given to SI symbols, definitions, and spellings.

Response. No change was made in the regulation. Section 160a.5 sets forth the requirements that the International System of Units published by the National Bureau of Standards of the Commerce Department shall be used by recipients of Federal assistance under the Act, and that all reference to the metric system will mean the International System of Units.

10. *Comment.* A commenter requests specific mention of community colleges and vocational schools as eligible applicants.

Response. No change was made in the regulation. The Act and the regulation (§ 160a.11) permit these entities to participate if they otherwise satisfy the requirements set forth in the regulation.

11. *Comment.* The Commenter, a profit-making enterprise, requests that profit making companies and corporations be given consideration for funding.

Response. No change was made in the regulation. Under the Act, applicants, to be eligible, must be "non-profit" agencies, organizations, and institutions. The interest shown by the private sector in metric education is appreciated, but profit-making enterprises are not eligible under the Act.

12. *Comment.* A commenter suggested that §§ 160a.12 and 160a.14 appear to be duplicates.

Response. No change was made in the regulation. The sections are not duplicates. Section 160a.12 merely lists the four types of projects which will be funded. Sections 160a.13, 160a.14, 160a.15, and 160a.16 describe each of these four types of projects in greater detail.

13. *Comment.* A commenter suggests that funds should be used to promote a variety of programs.

Response. No change was made in the regulation. The regulation permits funds to be used for four types of projects (§ 160a.12), and projects may vary greatly in all four types. The regulation affords applicants great flexibility while, at the same time, it gives prospective applicants some detailed information as to what type of applications are anticipated and how they will be scored under the criteria.

14. *Comment.* A commenter suggested that a greater role be given to the community in the development of the program.

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Response. Section 160a.13(b)(2) requires that, in school-based interdisciplinary projects, the multiplier strategy insure training opportunities for teachers, students, parents, and other adults. Members of the community are in this way involved in the school-based projects. Community involvement in the development of project applications, such as through parent advisory committees, is not provided for in the Act and is not, therefore, provided for in the regulation. Hence, no change was made in the regulation.

15. *Comment.* A commenter suggests in § 160a.13(b) the words "well publicized" be added before "local programs" to require applicants to be agencies which develop and provide well publicized programs of instruction for the general elementary and secondary student population.

Response. No change was made in the regulation. Under the regulation as written, applicants may be agencies which provide local programs of instruction. In selecting applicants, point scores will be given for projects whose design "provides for easy institutionalization" (§ 160a.25(a)(6)) and is "conducive to easy replication" (§ 160a.25(a)(15)). The intent is that publication will be given to those projects which prove to be the most effective; hence, the fact that the agency is well publicized in advance of the project and evaluation of its effectiveness is immaterial.

16. *Comment.* A commenter suggests that funds should concentrate on teacher training activities.

Response. No change was made in the regulation. Teacher training activities are encouraged under each of the project types; school-based interdisciplinary, teacher development, State and multi-State planning projects, and technical support projects, §§ 160a.13(b)(2), 160a.14, 160a.15(f)(1) and 160a.16(b)(2), respectively. While this does not expressly confer a preferred status upon teacher training, the regulation does allow applicants four possible project types under which teacher training is an authorized activity.

17. *Comment.* A commenter suggests that teacher training activities should permit "creativity and flexibility" in pedagogical methodology.

Response. No change in the regulation. Sections 160a.13(b), 160a.14(b) permit "creativity and flexibility" in pedagogical methodolgy. Such creativity and flexibility would, among other things, allow interdisciplinary curricular experiences (§ 160a.13(b)(1)) and specific strategies for students with diverse learning styles (§§ 160a.14(b)(5) and 160a.15(f)(7)).

18. *Comment.* A commenter suggests that direct communication links with teachers should be established early in the metrication program.

Response. Communication with teachers is provided in § 160a.13(b)(3), pursuant to a multiplier strategy whereby participant teachers teach non-participating teachers. This strategy would encompass intra- and inter-district communication between teachers. This same strategy is reflected in §§ 160a.14(b)(6) and 160a.15(f)(1). Hence no change is necessary in the regulation.

19. *Comment.* A commenter suggests that priority in training should be given to teachers in all areas, not just those in science or mathematics.

Response. The definition of "interdisciplinary" was expanded to make clear that it does not mean merely "mathematics and science." The regulation as proposed in §§ 160a.13(b)(1) and 160a.15(f)(2), stresses "interdisciplinary" activities which would permit teachers other than those in mathematics and science to participate in the programs of teacher training. The word "interdisciplinary" was also added to § 160a.14(b)(4).

20. *Comment.* A commenter suggests that training should be scheduled as activities with classroom tryouts of materials.

Response. No change was made in the regulation. This type of training activity is permitted under §§ 160a.13(b)(2) and 160a.14. The concepts of inservice teacher development coupled with interdisciplinary curricular experiences lend themselves to implementation of programs which will utilize the classroom as a methodological laboratory. Sections 160a.14 and 160a.15(f) contemplate both short-term and long-term teacher training programs.

21. *Comment.* A commenter suggests that development of curriculum materials by teachers should be encouraged.

Response. No change was made in the regulation. The involvement of teachers in curriculum development is encouraged by way of reference from § 160a.13(b)(2) to § 160a.13(b)(1).

22. *Comment.* A commenter recommends that teacher inservice training exercises use the same materials as will be used by the students.

Response. No change was made in the regulation. The regulation permits teachers to use the materials for teacher training in the classroom under §§ 160a.13(b)(1) and (2), 160a.14(b), and 160a.15(f)(1) and (2).

23. *Comment.* A commenter suggests utilizing models from the British Teachers' Centres and the Australian Traveling Advisors.

Response. No change was made in the regulation. Use of the British and Australian models and other foreign models, if they otherwise comply with the regulations, is permissible under the regulation.

24. *Comment.* A commenter wants institutions of higher education included as eligible participating agencies for teacher development projects.

Response. No change was made in the regulation. Section 160a.14(b) uses the language "eligible teacher training institutions or other authorized applicants." This language is sufficiently broad to include all eligible applicants, institutions of higher education, community colleges, etc., so long as the applicant is otherwise able to satisfy the statute and regulation. The phrase "teacher training institutions" was not meant to exclude other eligible institutions which prepare teachers.

25. *Comment.* A commenter suggests that § 160a.14(b)(2) should be deleted and replaced with a clause which would allow for models developed under previous grants by government agencies.

Response. No change was made in the regulation. The regulation permits adaptation and utilization of preservice and inservice models developed under other governmental agencies, and there is no need to make specific mention of this in the regulation.

26. *Comment.* A commenter suggests that, in § 160a.14(a), "and" be changed to "and/or" to permit inservice or preservice training.

Response. The following change was made in the regulation. In order to allow flexibility in the development of teacher training programs, "and/or" will replace "and" in line 5 of § 160a.14(a).

27. *Comment.* A commenter, a Commission for Vocational Education, suggests in relation to § 160a.14(b) that there is a definite need for inservice and preservice training in vocational areas, specifically trade and industrial programs.

Response. This paragraph is amended as set forth in the body of the regulation. Nonprofit vocational training institutes, if they satisfy the requirements of § 160a.1, may be eligible for funding of teacher development projects. Section 160a.14(b) was not meant to be limiting.

28. *Comment.* A commenter suggests that there ought to be projects for special population target groups such as blind students and non-reading students as separate categories of funding.

Response. No change was made in the regulation. While the program does not have separate types of projects for special target groups, consideration of special target groups has been made in §§ 160a.14(b)(5) and 160a.15(f)(7). Special strategies for students with diverse learning styles will permit programs designed for blind students.

29. *Comment.* A commenter would delete "curriculum development" from § 160a.15(f)(2) as duplicating efforts for curriculum development.

Response. No change was made in the regulation. The thrust of this component is "interdisciplinary" and is to be implemented on a Statewide or multi-State basis. While curriculum development is authorized in other sections of the regulation, the nature of this activity focuses upon development of prototypical models for a larger area.

30. *Comment.* A commenter suggests that, because of efforts from other organizations, § 160a.16 should be deleted.

Response. No change was made in the regulation. Section 160a.16 authorizes projects for metric education technical support. At present, support from other organizations is in no way sufficient to make this type of project unnecessary.

31. *Comment.* A commenter requests that "academic year" be deleted for purposes of more flexibility in project implementation, with "fiscal year" as a substitute.

Response. Section 160a.17, "project duration," is amended to authorize projects to be implemented on an academic year or a fiscal year basis. The definition of "academic year" will be retained. "Fiscal year" is defined in the General Education Provisions regulations in 45 CFR 100.1.

32. *Comment.* A commenter recommends that, in § 160a.25, definitions of "performance oriented approaches," "program impact potential," and "cooperative arrangements" should be included.

Response. Definitions of "performance oriented approaches" and "program impact potential" have been added. The term "cooperative arrangements" is set forth in 45 CFR Section 100a.19, and the regulations in that Part will govern any cooperative arrangements entered into under the Metric Education Program.

33. *Comment.* A commenter suggests that separate sets of funding criteria be developed for each type of authorized activity.

Response. The manner in which the funding criteria are set forth in § 160a.25 was designed to apply to all types of projects. Sections 160a.13–16 set forth the requirements of each type of project. Each applicant must address itself to meeting the requirements for the particular type of project and should, of course, keep the overall funding criteria in mind. In addition to the particular requirements of each project type, as set forth in the respective sections of the regulation, applications will be reviewed subject to the provisions of § 160a.16(a) and the amounts set forth in § 160a.27. Therefore, there is no need to develop separate sets of criteria.

34. *Comment.* A commenter suggests that, contrary to § 160a.29(c)(1), stipends should be allowed.

Response. In light of the limited funds available for implementation of a program of national scope, it has been considered advisable not to allow stipends, travel, or dependency allowances. This is made clear in the regulation. Awardees may, of course, provide these out of their own funds.

35. *Comment.* A commenter suggests that funds should be available to sponsor inservice training for teachers at a university or college, wholly funded by the Metric Education program, and that supplies and equipment be permitted for use in the classroom.

Response. No change was made in the regulation. This activity is contemplated by the regulation. Section 160a.29(b)(2) and (5) allows use of funds for adaptation of textbooks and purchase of measurement apparatus. Section 160a.29(c)(2)(i) disallows use of funds for textbooks other than those exclusively on the metric system.

36. *Comment.* A commenter suggests that there is an ample supply of metric materials available for use in this program, and that no funds should be used for development of metric materials.

Response. No change was made in the regulation. In this first year of the program, funds are allowed under § 160a.29(b)(2) for "adaptation of textbooks." If, as the commenter suggests, there are adequate materials available, this provision will be amended in the future.

Accordingly, after consideration of the above comments, Part 100a of Title 45, is amended and Part 160a of Title 45 of the Code of Federal Regulations are adopted to read as set forth below.

Effective date: Pursuant to Section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232 (d)), this regulation has been transmitted to the Congress concurrently with the publication in the FEDERAL REGISTER (4-21-76). That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

(Catalog of Federal Domestic Assistance Number 13.561, Metric Education Program)

Dated: February 17, 1976.

T. H. BELL,
U.S. Commissioner of Education.

Approved: April 14, 1976.

DAVID MATHEWS,
Secretary of Health, Education and Welfare.

1. Section 100a.10 of Part 100a of Title 45 of the Code of Federal Regulations is amended by adding (a)(34) to read as follows:

§ 100a.10 Scope.

(a) *Programs.* Except to the extent inconsistent with an applicable statute or regulation, the provisions contained in this part apply to all Federal programs of assistance authorized under the following authorities:

* * * * *

(34) Projects designed to encourage educational agencies and institutions to prepare students to use the revised metric system of measurement with ease and facility as part of the regular educational program under Section 403, Part C of Title IV, Pub. L. 93-380

(20 U.S.C. 1883);

* * * * *

2. Part 160a of Title 45 of the Code of Federal Regulations is added to read as follows:

PART 160a—METRIC EDUCATION PROGRAM

Subpart A—General

Sec.
160a.1 Purpose.
160a.2 Program objectives.
160a.3 Definitions.
160a.4 General Provisions.
160a.5 International System of Units.

Subpart B—Eligible Applicants; Authorized Activities; Duration of Projects

Sec.
160a.11 Eligible applicants.
160a.12 Types of projects.
160a.13 School-based interdisciplinary projects.
160a.14 Teacher development.
160a.15 State and multi-State cooperative metric education planning.
160a.16 National metric education technical support.
160a.17 Duration of projects.

Subpart C—Applications; Funding Criteria Costs; State review

160a.21 General requirements.
160a.22 General project description.
160a.23 Pre-application for participation in metric education.
160a.24 Applications.
160a.25 Funding criteria.
160a.26 Review of applications.
160a.27 Amount of grant or contract.
160a.28 State review of local educational agency applications.
160a.29 Allowable costs.

AUTHORITY: Secs. 1-4, Special Projects Act and secs. 403(b) and 403 of the Education Amendments of 1974, Pub. L. 93-380, 88 Stat. 544-547 (20 U.S.C. 1851-1853, 1861-1862).

Subpart A—General

§ 160a.1 Purpose.

The purpose of the Metric Education Program conducted pursuant to this part is to encourage educational agencies and institutions to prepare students to use the revised metric system of measurement (as opposed to the customary system used in the United States), with ease and facility as a part of the regular educational program as provided for in section 403 of the Education Amendments of 1974, Pub. L. 93-380, hereinafter called the "Act".

(20 U.S.C. 1883(a)(2))

§ 160a.2 Program objectives.

The objectives of the Metric Education Program under this part, more than one of which may be met by a single project, are as follows:

(a) To increase measurably the number of elementary and secondary school teachers and students (as well as parents and other adults) who are able to use the revised metric system;

(b) To provide for the development or further testing of promising metric education program models which possess potential for responding to the metric educational needs of students;

(c) To increase measurably the number of educational personnel who are qualified to teach the metric system of measurements through preservice or inservice education programs;

(d) To establish or increase interstate and/or interagency cooperation for the purposes of developing and expanding metric education programs;

(e) To develop and provide technical assistance to enhance and ensure the quality of teacher-learner experiences in metric education;

(f) To develop Statewide or multi-State metric educational planning efforts designed to enhance or expand the metric education experience available to teachers, students, parents and other adults; and

(g) To support other public and private non-profit agencies, organizations, and institutions, in their efforts to develop and enhance the quality of the Metric Education Program for students at all levels.

(20 U.S.C. 1861-1862)

§ 160a.3 Definitions.

For the purpose of this part the following definitions shall apply:

"Academic year" means a period of time, usually eight (8) or nine (9) months, during which a full-time student would normally be expected to complete the equivalent of two semesters, two trimesters, three quarters or 900 clock hours of instruction.

"Accountability factors" means measurable activities which may be used to determine the degree of success of the program effort.

"Act" means section 403 of the Education Amendments of 1974, Pub. L. 93-380 (20 U.S.C. 1862) which authorizes the Metric Education Program.

"Customary system" means the system of measurement unit (yard, pound, second, degree Fahrenheit, and units derived from these) most commonly used in the United States, often referred to as the "English system" or the "U.S. system". This system is derived from but not identical to the Imperial system used in the United Kingdom and other English-speaking countries.

"Interdisciplinary" means the involvement of two or more academic disciplines, i.e., the involvement of disciplines other than mathematics and science alone.

"International System of Units (SI)", popularly known as the modernized metric system, is the coherent system of units based upon and including the meter (length), kilogram (mass), second (time), kelvin (temperature), ampere (electric current), and candela (luminous intensity), as established in 1960 by the General Conference on Weights and Measures under the Treaty of the Meter. A seventh base unit, the mole (for amount of substance) is being considered as another (SI) base unit. The radian (plane angle) and the steradian (solid angle) are supplemental units of the system.

"Local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as is recognized in a State as administrative agencies for the State's public elementary or secondary schools. The term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(20 U.S.C. 1862)

"Metric Education Program" is the short or popular name for the Education for the Use of the Metric System of Measurement Program.

(20 U.S.C. 1862)

"Metric system" means the measurement system that commonly uses the meter for length, the kilogram for mass, the second for time, the degree Celsius (same as "Centigrade") for temperature, and units derived from these. This system has evolved over the years and the modernized version today is identified as the "International System of Units", which is abbreviated (SI).

"Performance oriented approaches" means educational approaches wherein students will be involved in a sequence of problem solving activities, the solutions to which will require the utilization of concrete examples.

"(SI)" is the abbreviation for the modernized metric system, otherwise known as the International System of Units (Le Systeme International d'Unites).

(20 U.S.C. 1862)

"State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such agency, an officer or agency designated by the Governor or by State law.

"Program impact potential" means the degree to which a program may be adopted, expanded and/or replicated by other educational entities.

(20 U.S.C. 1862)

§ 160a.4 General Provisions.

Assistance provided under this part is subject to applicable provisions contained in Subchapter A of this chapter, 45 CFR Parts 100, 100a, Appendices A-D (relating to fiscal, administrative, property management, and other matters), and to part 100 of this chapter. Procurement contracts awarded pursuant to this Part will be subject to 41 CFR Chapters 1 and 3.

(20 U.S.C. 1862)

§ 160a.5 International System of Units.

The International System of Units published by the National Bureau of Standards of the Commerce Department in the FEDERAL REGISTER, for June 19, 1975, 40 FR 25837, shall be used by recipients of Federal assistance under the Act for purposes of implementing the program. All references to the Metric System in this part will mean the International System of Units as published and amended by the National Bureau of Standards.

(20 U.S.C. 1862(a)(3))

Subpart B—Eligible Applicants; Authorized Activities; Duration of Projects

§ 160a.11 Applicant eligibility.

The Commissioner may make grants to and contracts with institutions of higher education, State and local educational agencies, and other public and private non-profit organizations, institutions and agencies, to develop and carry out the policy set forth in the Act.

(20 U.S.C. 1862(b)(2))

§ 160a.12 Types of projects.

The objectives specified in § 160a.2 will be carried out through grants or contracts for the following types of projects:

(a) School-based interdisciplinary;

(b) Teacher development;

(c) State and multi-State planning; and

(d) Technical support.

(20 U.S.C. 1862)

§ 160a.13 School-based interdisciplinary projects.

(a) *Description.* School-based projects will respond to the metric educational needs of elementary and secondary students and teachers as well as parents and other adults. School based interdisciplinary projects may use innovative techniques and educational television.

(b) *Requirements.* Applicants for school-based interdisciplinary grants or contracts will be those agencies which develop and provide local programs of instruction for the general elementary and secondary student population. All projects funded under this category of metric education grants or contracts will provide:

(1) Interdisciplinary curricular experiences in metric education which will foster the acquisition of skills in the use of the metric system of measurement;

(2) In-service teacher development in the area of metric education where necessary to accomplish in paragraph (b)(1) of this section;

(3) A precisely described multiplier strategy which will insure maximum metric education training opportunities to as many teachers, students, parents and other adults (for example, participant teachers, students, and adults teaching non-participating teachers, students, and adults skills for metric education);

(4) Metric education opportunities for parents and other adults so as to reinforce activities required under § 160a.13 (b)(1), (2) and (3);

(5) Adequate proof that, if the applicant is a local educational agency, the State educational agency has been notified of the application and has been given a reasonable opportunity to offer recommendations with respect to the approval thereof, in compliance with section 403 (c)(2) of the Act;

(6) Indication that the diverse learning styles of gifted as well as less facile learners have been considered; and

(7) Opportunity for bilingual instruction where significantly critical to program effectiveness.

(20 U.S.C. 1862)

§ 160a.14 Teacher development.

(a) *Description.* Eligible applicants under this category of grants or contracts shall, through a planned sequence of experience-based instructions, focus on the in-service and/or pre-service development of teachers, teacher trainers, and instructional leaders, for example, instructional supervisors.

(b) *Requirements for teacher development projects.* Eligible teacher training institutions or other authorized applicants under this category of grants or contracts shall satisfy the following requirements:

(1) The program strategy shall be a planned sequence of instruction so as to enhance the teacher's skills in using the metric system where appropriate;

(2) The metric program shall stress the effective teaching of parents and adults in the metric system;

(3) The teacher development curriculum shall respond to anticipated changes in State requirements for teacher certification;

(4) The interdisciplinary teacher developmental experiences shall provide for the teacher's acquisition of metric educational teaching skills to meet the educational needs of both the gifted as well as the less facile learner with an emphasis on bilingualism where the nature of the student population warrants such;

(5) The project shall provide for special strategies, such as the development of individualized instruction, for students with diverse learning styles;

(6) The project shall precisely describe the specific strategy for project participating teachers, students, and adults teaching other non-participating fellow teachers, students, and adults; and

(7) The project shall provide a schedule of events to emphasize and illustrate the realization of project goals and objectives.

(20 U.S.C. 1862)

§ 160a.15 State and multi-State cooperative metric education planning.

(a) Grants or contracts provided under this category of the Metric Education Program shall support statewide educational program planning and development. Grantees or contractors shall focus on the evolution of a master plan for a statewide or cooperatively developed multi-State metric education program which emphasizes the acquisition of skills in the use of the metric system of measurement. Grantees and contractors may utilize educational television and the print media to accomplish the objectives of this section.

(b) Grantees and contractors, for purposes of short-term and long-range metric education planning, or to expand promising and effective programs currently underway, may enter into cooperative arrangements with other such eligible applicants to apply for funds under this section. (45 CFR 100a.19)

(c) When an application is submitted by several cooperating agencies, it may include a composite budget reflecting cost allocations for each of the several cooperating applicant agencies' proposed activities to be funded by the grant in an academic year.

(d) When the application is for a cooperative multi-State arrangement, one State shall be designated to serve as the fiscal agent for the planned multi-State cooperative metric education project but all shall be jointly and severally legally responsible for administering the project assisted under the metric education grant or contract.

(20 U.S.C. 1221c(b)(1), 1223c(b)(1))

(e) The project shall include a schedule of events designed to emphasize or illustrate the realization of stated project goals and objectives.

(f) The project shall provide detailed plans for developing a statewide (or multi-State) master plan for metric education with specific detailed implications for:

(1) Staff development;

(2) Interdisciplinary curriculum development;

(3) State teacher certification;

(4) Textbook adaptation;

(5) Parent and adult metric education;

(6) Bilingual elements where essential for program success; and

(7) Other diverse learning styles.

(g) The application shall provide a descriptive statement of pending and existing State legislative or State educational policy developments with implications for metric education.

(h) Multi-State applications shall provide letters of commitment, signed by the appropriate official(s) from each of the cooperating States.

(20 U.S.C. 1862)

§ 160a.16 National metric education technical support.

(a) *Description.* Contracts awarded pursuant to this section shall support an effective national technical support program to serve State and cooperative multi-State metric education planning projects; school-based demonstration and pilot metric education planning projects, inservice and pre-service teacher development models for metric education; and to identify and dispatch metric education experts to agencies which are developing and implementing metric educational programs in response to stated needs; and where deemed appropriate, the development of mobile metric instructional laboratories. To ensure consistency of program thrust, orientation, modes of accountability, and to facilitate fiscal responsibility and effective services management, the technical assistance efforts will be national in scope. It is assumed, therefore, that a limited number of applications, possibly only one, will be funded for national metric education technical support.

(b) *Requirements.* Applicants for this type of grant or contract shall:

(1) Possess the capacity to provide technical assistance for program development, expansion, and implementation on a large scale;

(2) Assist in staff development;

(3) Possess a potential for directing media development;

(4) Assist in project evaluation and the evaluation of the overall metric education program; and

(5) Assist in all areas of curriculum and curriculum material adaptation for metric education.

(20 U.S.C. 1862)

§ 160a.17 Project duration.

(a) Awards made pursuant to this part will be for a project period of one academic year, or one fiscal year, unless otherwise specified in paragraph (b) of this section. If an award recipient seeks to receive assistance pursuant to this part for an additional academic year, or fiscal year, the recipient must submit a new application. The new application will be evaluated in competition with applications from other former award recipients as well as from applicants which have not previously received assistance under this part.

(b) The Commissioner may make an initial award for more than one academic year or fiscal year, for projects funded pursuant to § 160a.16, national metric education technical support, if the nature of the project is such that a multi-year award is justified. Decisions for renewed funding after the initial award period will be made on the basis of the extent to which the grantee or contractor has satisfactorily performed under the initial grant period and will be contingent upon (1) the availability of funds, (2) a determination by the Commissioner that such continuation would be in the best interest of the Government, and (3) execution of a revised notification of grant award acceptable to the Commissioner and the grantee or contractor.

(20 U.S.C. 1221e-3(a)(1), 1862)

Subpart C—Applications; Funding Criteria Costs; State Review

§ 160a.21 General requirements.

Applications for metric education grants or contracts shall be submitted at such time, in such form, and containing such information as the Commissioner shall prescribe by notice in the FEDERAL REGISTER and shall be approved only if the application:

(a) Provides that the activities and services for which assistance is sought will be administered by, or under the supervision of, the applicant;

(b) Describes a program which holds promise of making a substantial contribution toward attaining the purposes of this part; and

(c) Sets forth such policies and procedures as will insure adequate evaluation of the activities intended to be carried out under the application.

(20 U.S.C. 1862(c)(1) (A)–(D))

§ 160a.22 General project description.

The application shall describe:

(a) The design of the metric education program, its duration, purpose, and plan;

(b) The qualifications of the project director and of the key professional personnel who will be involved in the project;

(c) The facilities and resources that will be made available; and

(d) Categorical justification for the amount of Federal funds requested.

(20 U.S.C. 1862)

§ 160a.23 Pre-application for participation in metric education.

(a) The Commissioner may, by notice published in the FEDERAL REGISTER, require applicants eligible for a grant or contract under the Act to submit a pre-application for review prior to submitting a complete application under the provisions of 45 CFR 160a.18. Such pre-application, of no more than seven (7) pages, shall succinctly provide:

(1) A statement of the problems to which proposed program activities will respond;

(2) A description of target population to be served;

(3) Measurably stated short-term and long-range program objectives;

(4) A description of anticipated co-operative arrangements;

(5) The anticipated budget request;

(6) The signature of all duly authorized officials who will submit the final application on behalf of the agency;

(7) A brief description of the evaluation plan;

(8) Details as to the duration of proposed project; and

(9) An overall statement of what the applicant will accept as evidence of program success as a result of the activities for which funds are sought.

(b) Notification of the applicant relative to the results of the pre-application review shall follow the procedures set forth in 45 CFR 160a.42.

(20 U.S.C. 1862) (20 U.S.C. 1221(b)(1), 1232c (b)(1))

§ 160a.24 Applications.

An applicant eligible for a grant or contract under the Act shall submit an application to the address contained in the notice of closing date on or before such cut-off date or dates as the Commissioner may announce in the FEDERAL REGISTER for each fiscal year of operation of the Metric Education Program. An application containing such assurances and requisite information, and in accordance with such forms, and instructions as the Commissioner shall prescribe, may be executed by the applicant or an official or representative of the applicant duly authorized to make such application.

(20 U.S.C. 1221c(b)(1))

§ 160a.25 Funding criteria.

(a) In awarding grants and contracts on a competitive basis, the Commissioner will take into account, in addition to the general criteria listed in 45 CFR 160a.26 (b), the following criteria:

(1) The project design shows promise for contributing to an effective metric education program;

(2) The project design provides for an effective response to diverse learning styles of the target population, e.g., bilingualism, gifted and talented, less facile learners, insufficiently motivated learners, handicapped and special education students;

(3) The project narrative complies with the International System of Units (SI);

(4) The project design provides for an effective level of response to staff development needs;

(5) The project design leads to the ease of adaptation of proposed metric educational activities;

(6) The project design provides for easy institutionalization of proposed metric educational project strategies;

(7) The project design contributes to performance oriented metric educational approaches;

(8) The project design focuses on efforts to enable the project's target population to measurably acquire skills for using the International System of Units (SI);

(9) A schedule of significant project events is provided and is adequately explained or detailed;

(10) The project design provides for the effective instruction of parents and other adults in the metric system;

(11) The evaluation design includes accountability factors which measure the overall effectiveness of the proposed project;

(12) The project design includes short-term and long-range objectives which are measurably stated;

(13) The project design responds to assessed metric educational needs of the planned target population and such needs are set forth in sufficient detail in the program narrative of the application;

(14) The applicant has identified and detailed specific project-related behavioral objectives and the means by which they will be achieved;

(15) The project design is conducive to easy replication;

(16) The project design has high program impact potential; and

(17) The project design capitalizes on cooperative arrangements so as to maximize the impact of the proposed project.

(b) The maximum score for a given application shall be 102 points with each criterion having a score range of 0–6.

(20 U.S.C. 1862)

§ 160a.26 Review of applications.

The Commissioner, prior to disposition of applications for grants or contracts, may, at his discretion, obtain the review of a panel of experts. Any such review shall be in addition to the review of an application by the Commissioner in accordance with such procedures as the Commissioner may establish.

(20 U.S.C. 1221c(b)(1))

§ 160a.27 Amount of grant or contract.

It is expected that awards of State and multi-State metric education planning grants will generally be in the range of $25,000–$40,000 and $50,000–$110,000, respectively; the school-based metric instructional pilot and model project grants will generally be in the range of $35,000–$35,000; the national technical support effort will generally be in the range of $175,000–$225,000; and the grants for purposes of conducting in-service and pre-service teacher development projects will generally be in the range of $30,000–$30,000. Procurement contracts into which the Commissioner may enter pursuant to any of the authorized activities need not be within the above ranges.

(20 U.S.C. 1862)

§ 160a.28 State review of local educational agency applications.

(a) The Commissioner will not approve an application submitted by a local educational agency in accordance with this part unless the State educational agency of the State in which that local educational agency is located has been given an opportunity to review and make recommendations on such application.

(b) A local educational agency must provide a copy of its application to the appropriate State educational agency concurrently with its submission of the application to the Commissioner.

(c) The Commissioner may establish a cut-off date for submission of comments by State educational agencies on local educational agency applications. If the Commissioner establishes a cut-off date for submission of comments, failure by a State educational agency to submit comments to the Commissioner within the period specified by the Commissioner for an application shall be deemed a waiver of the State educational agency's opportunity to comment on that application.

(20 U.S.C. 1862(c)(2))

§ 160a.29 Allowable costs.

(a) Costs allowable under awards issued pursuant to this part shall be determined in accordance with provisions contained in 45 CFR Part 100a and Appendices A, B, C, or D to that part, as applicable to the type of applicant, subject to the limitations contained in paragraphs (b) and (c) of this section.

(b) Costs for the following will be allowed when the Commissioner determines that expenditure for such items would be in the interest of the Government in carrying out the purposes specified in § 160a.1 and the program objectives in § 160a.2: the costs of (1) reference materials, (2) supplementary materials for adaptation of textbooks, (3) consulting services, (4) conferences for the purposes of discussing metric education, (5) initial purchase of measurement and mass apparatus (limited to 10 percent of the award), (6) replacement of measurement and mass apparatus, and (7) adaptation of measurement and mass apparatus.

(c) Funds shall not be expended under this part for: (1) Stipends, (2) textbooks (except those exclusively on the metric system), (3) travel of teachers, students, or parents, or (4) dependency allowances.

(20 U.S.C. 1869)

[FR Doc.76-11539 Filed 4-20-76;8:45 am]

Grantee Declined Grant FY 1977

STATE	Number of Applications Received	Total $ Amount Requested	Total # of Applications Approved	Total $ Amount Approved
ALABAMA	16	444,588	1	27,851
ALASKA	7	277,525	0	--
ARIZONA	5	388,234	0	--
ARKANSAS	7	182,785	3	120,223**
CALIFORNIA	21	984,540	3	24,292
COLORADO	12	533,587	1	35,073
CONNECTICUT	14	317,400	1	--
DELAWARE	4	146,173	0	--
DIST. OF COL.	9	580,566	2	65,076
FLORIDA	23	1,399,946	1	19,628
GEORGIA	22	686,331	4	89,309
HAWAII	4	138,448	0	--
IDAHO	4	75,672	0	--
ILLINOIS	25	887,807	3	79,657
INDIANA	8	281,398	1	25,868
IOWA	7	284,250	3	88,945**
KANSAS	9	200,698	0	--
KENTUCKY	13	476,512	4	113,645
LOUISIANA	9	422,387	1	17,148
MAINE	5	172,970	2	70,152
MARYLAND	12	352,548	1	28,270
MASSACHUSETTS	24	756,736	2	57,779
MICHIGAN	13	411,260	1	27,147
MINNESOTA	3	98,741	0	--
MISSISSIPPI	15	470,408	0	--
MISSOURI	11	282,705	1	25,169
MONTANA	6	275,922	1	32,478
NEBRASKA	5	108,149	0	--
NEVADA	2	42,768	1	22,136
NEW HAMPSHIRE	2	75,227	0	--
NEW JERSEY	27	621,370	2	44,439
NEW MEXICO	3	93,340	0	--
NEW YORK	77	2,466,980	11*	313,439
NO. CAROLINA	19	622,783	2	58,300
NO. DAKOTA	1	28,700	0	--
OHIO	22	714,596	1	22,247
OKLAHOMA	13	380,934	2	54,380
OREGON	5	241,741	0	--
PENNSYLVANIA	22	654,586	3	66,786
RHODE ISLAND	3	100,666	0	--
SO. CAROLINA	10	303,411	1	25,035
SO. DAKOTA	3	73,001	1	23,760
TENNESSEE	13	372.272	1	26,250
TEXAS	20	686,496	3	84,573
UTAH	6	138,920	3	80,182
VERMONT	3	130,256	0	--
VIRGINIA	31	1,073,993	2	53,044
WASHINGTON	7	294,837	1	21,952
WEST VIRGINIA	10	315,088	5	138,645
WISCONSIN	10	215,360	0	--
WYOMING	0	--	--	--
AM. SAMOA	1	31,200	0	--
GUAM	0	--	--	--
PUERTO RICO	1	77,447	1	40,573
TRUST TERR.	1	29,872	0	--
VIRGIN ISLANDS	0	--	--	--
	623	21,424,130	76*	2,058,524**

The approximately $31,000 remaining out of the $2,090,000 appropriation will be used for a Nationwide Conference on Metric Education.

APPENDIX 7-B

SELECTED INFORMATION ON METRIC EDUCATION
FUNDING, GRANTEES, AND APPLICATIONS FROM U.S. OFFICE
OF EDUCATION

(HEW-H5)

FY 1976
METRIC EDUCATION PROGRAM GRANT AWARDS BY STATE

ALABAMA	
Top of Alabama Regional Educational Service Agency Huntsville	$24,000
ARIZONA	
Arizona Department of Education Phoenix	$24,000
ARKANSAS	
Arkansas Department of Education Little Rock	$24,000
CALIFORNIA	
American Institutes of Research Palo Alto	$165,004
California State Department of Education Sacramento	$85,000
Laguna Salada Union School District Pacifica	$6,900
San Diego Unified School District San Diego	$24,000
University of Southern California Los Angeles	$24,000
COLORADO	
University of Northern Colorado Greeley	$24,000
CONNECTICUT	
Connecticut State Department of Education Hartford	$82,966
Greater Hartford Community College Hartford	$5,125

(More)

(HEW-H5)

METRIC EDUCATION PROGRAM GRANT AWARDS BY STATE

DELAWARE	
Delaware State Department of Public Instruction Dover	$24,000
GEORGIA	
Georgia Department of Education Atlanta	$24,000
Hancock County Board of Education Sparta	$24,000
Metropolitan Cooperative Educational Service Agency Atlanta	$24,000
HAWAII	
Hawaii State Department of Education (LEA) Honolulu	$24,000
Hawaii State Department of Education Honolulu	$35,000
University of Hawaii Honolulu Community College Honolulu	$23,674
ILLINOIS	
Chicago State University Chicago	$23,949
Illinois Office of Education Springfield	$24,000
IOWA	
American College Testing Program Iowa City	$50,000
Iowa State Department of Education Des Moines	$24,000

(More)

(HEW-H5)

METRIC EDUCATION PROGRAM GRANT AWARDS BY STATE

KENTUCKY

Morehead State University Morehead	$24,000

LOUISIANA

Louisiana State Department of Education Baton Rouge	$24,000

MARYLAND

Board of Education of Frederick County Frederick	$21,482
Washington County Board of Education Hagerstown	$24,000

MASSACHUSETTS

Watertown Public Schools Watertown	$17,200

MICHIGAN

Michigan Department of Education Lansing	$24,000
Wayne-Westland Community Schools Wayne	$23,965

MINNESOTA

Minnesota Metric Council St. Paul	$24,000

(More)

(HEW-H5)

METRIC EDUCATION PROGRAM GRANT AWARDS BY STATE

MISSISSIPPI

Delta State University Cleveland	$22,817
Holmes County School District Lexington	$24,000
Mississippi Valley State University Itta Bena	$23,999

MISSOURI

Harris Teachers College St. Louis	$24,000

MONTANA

Montana Council of Teachers of Mathematics Columbus	$74,990

NEVADA

Nevada State Department of Education Carson City	$21,500

NEW HAMPSHIRE

New Hampshire State Department of Education Concord	$24,000

NEW JERSEY

Rutgers--The State University New Brunswick	$24,000

NEW YORK

Bank Street College of Education New York	$24,000
Bronx Community College Bronx	$24,000

(More)

(HEW-H5)

METRIC EDUCATION PROGRAM GRANT AWARDS BY STATE

NEW YORK continued

Bronx Community School District #11 Bronx	$23,000
Brooklyn College and Research Foundation of CUNY Brooklyn	$24,000
Community School District #18 Brooklyn	$23,992
Fordham University/Lincoln Center New York	$24,000
Syracuse University Syracuse	$22,628

NORTH CAROLINA

Catawba College Salisbury	$23,831
Southern Piedmont Education Consortium, Inc. Albemarle	$24,000
North Carolina Board of Education Raleigh	$24,000

NORTH DAKOTA

North Dakota Department of Education Bismarck	$25,000

OHIO

Cuyahoga Community College Cleveland	$24,000
Hamilton County Office of Education Cincinnati	$24,000

(More)

(HEW-H5)

METRIC EDUCATION PROGRAM GRANT AWARDS BY STATE

OKLAHOMA	
Holdenville Public Schools Holdenville	$5,000
Southeastern Oklahoma State University Durant	$24,000
Southwest Oklahoma State University Weatherford	$24,000
OREGON	
Oregon Department of Education Salem	$24,000
PENNSYLVANIA	
Pennsylvania State University University Park	$24,000
PUERTO RICO	
Puerto Rico Department of Education and Consumer Affairs Hato Rey	$24,000
SOUTH DAKOTA	
University of South Dakota Vermillion	$24,000
TENNESSEE	
Memphis Board of Education Memphis	$24,000
University of Tennessee Knoxville	$23,976
TEXAS	
Texas Education Agency Austin	$24,000

(More)

(HEW-H5)

METRIC EDUCATION PROGRAM GRANT AWARDS BY STATE

VERMONT	
Lyndon State College Lyndonville	$18,210
VIRGINIA	
Blue Ridge Community College Weyers Cave	$24,000
Fairfax County Public Schools Fairfax	$24,000
Virginia State Department of Education Richmond	$23,729
Virginia Union University Richmond	$24,000
WASHINGTON	
University of Washington Seattle	$24,000
WEST VIRGINIA	
AFL-CIO Appalachian Council Charleston	$24,000
Bethany College Bethany	$24,000
West Virginia Department of Education Charleston	$24,000
WISCONSIN	
University of Wisconsin at Milwaukee Milwaukee	$24,000
AMERICAN SAMOA	
Department of Education Pago Pago	$24,000

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		1976			1977	
		# of awards per State	# of dollars per State		# of awards per State	# of dollars per State
	TOTALS					
10	Alabama	1	$ 24,000		1	$ 27,851
11	Alaska		*			
12	Arizona	1	$ 24,000			
13	Arkansas	1	$ 24,000		3	$ 76,056
14	California	5	$ 304,904		3	$ 120,223***
15	Colorado	1	$ 24,000		1	$ 24,292
16	Connecticut	2	$ 88,091		1	$ 35,073
17	Delaware	1	$ 24,000			
18	District of Columbia				2	$ 65,076
19	Florida				1	$ 19,628
20	Georgia	2	$ 72,000		4	$ 89,309
21	Hawaii	3	$ 82,674			
22	Idaho		*			
23	Illinois	2	$ 47,949		3	$ 79,657
24	Indiana				1	$ 25,868
25	Iowa	2	$ 74,000		3	$ 88,945***
26	Kansas					
27	Kentucky	1	$ 24,000		4	$ 113,645
28	Louisiana	1	$ 24,000		1	$ 17,148
29	Maine		*		2	$ 70,152
30	Maryland	2	$ 45,482		1	$ 28,270
31	Massachusetts	1	$ 17,200		2	$ 57,779
32	Michigan	2	$ 47,965		1	$ 27,147
33	Minnesota	1	$ 24,000			
34	Mississippi	3	$ 70,816			
35	Missouri	1	$ 24,000		1	$ 25,169
36	Montana	1	$ 74,990		1	$ 32,478
37	Nebraska					
38	Nevada	1	$ 21,500		1	$ 22,136
39	New Hampshire	1	$ 24,000			
40	New Jersey	1	$ 24,000		2	$ 44,439
41	New Mexico		*			
42	New York	7	$ 165,620		11	$ 313,029**
43	North Carolina	3	$ 71,831		2	$ 58,300
44	North Dakota	1	$ 25,000			
45	Ohio	2	$ 48,000		1	$ 22,247
46	Oklahoma	3	$ 53,000		2	$ 54,380
47	Oregon	1	$ 24,000			
48	Pennsylvania	1	$ 24,000		3	$ 66,786
49	Rhode Island		*			
50	South Carolina				1	$ 25,035
51	South Dakota	1	$ 24,000		1	$ 23,760
52	Tennessee	2	$ 47,976		1	$ 26,250
53	Texas	1	$ 24,000		3	$ 84,573
54	Utah		*		3	$ 80,182
55	Vermont	1	$ 18,210			
56	Virginia	4	$ 95,729		2	$ 53,044
57	Washington	1	$ 24,000		1	$ 21,952
58	West Virginia	3	$ 72,000		5	$ 138,645
59	Wisconsin	1	$ 24,000			
60	Wyoming		*			
61	U. S. Service Schools					
62	Canal Zone, Am. Samoa	1	$ 24,000			
63	Guam					
64	Puerto Rico	1	$ 24,000		1	$ 40,573
66	Virgin Islands					

* Participated as member of Consortial grants ** -1 grantee declined award
***- Approximate

* Member of Consortium ** $123,539 (National Conferences & Contracts)

			TOTAL REC'D FY76 & FY77		% OF TOTAL GRANTS AWARDED	RANK ORDER BY FUNDS RECEIVED
	TOTALS					
10	Alabama		$ 51,851		1.28	28
11	Alaska		*		*	49
12	Arizona		$ 24,000		.60	41
13	Arkansas		$ 100,056		2.47	13
14	California		$ 425,127		10.48	2
15	Colorado		$ 48,292		1.19	30
16	Connecticut		$ 88,091		2.17	15
17	Delaware		$ 24,000		.60	41
18	District of Columbia		$ 65,076		1.61	26
19	Florida		$ 19,628		.49	45
20	Georgia		$ 161,309		3.98	5
21	Hawaii		$ 82,674		2.04	16
22	Idaho		*		*	49
23	Illinois		$ 127,606		3.15	9
24	Indiana		$ 25,868		.64	35
25	Iowa		$ 162,945		4.02	4
26	Kansas		0		----	54
27	Kentucky		$ 137,645		3.39	7
28	Louisiana		$ 41,148		1.02	34
29	Maine		$ 70,152		1.73	23.5
30	Maryland		$ 73,752		1.82	21
31	Massachusetts		$ 74,979		1.85	18.5
32	Michigan		$ 75,112		1.85	18.5
33	Minnesota		$ 24,000		.60	41
34	Mississippi		$ 70,816		1.75	22
35	Missouri		$ 49,169		1.22	29
36	Montana		$ 107,468		2.65	11.5
37	Nebraska		0		----	54
38	Nevada		$ 43,636		1.08	33
39	New Hampshire		$ 24,000		.60	41
40	New Jersey		$ 68,439		1.69	25
41	New Mexico		*		*	49
42	New York		$ 478,649		11.79	1
43	North Carolina		$ 130,131		3.21	8
44	North Dakota		$ 25,000		.62	36.5
45	Ohio		$ 70,247		1.73	23.5
46	Oklahoma		$ 107,380		2.65	11.5
47	Oregon		$ 24,000		.60	41
48	Pennsylvania		$ 90,786		2.24	14
49	Rhode Island		*		*	49
50	South Carolina		$ 25,035		.62	36.5
51	South Dakota		$ 47,760		1.18	31
52	Tennessee		$ 74,226		1.83	20
53	Texas		$ 108,573		2.68	10
54	Utah		$ 80,182		1.98	17
55	Vermont		$ 18,210		.45	46
56	Virginia		$ 148,773		3.67	6
57	Washington		$ 45,952		1.14	32
58	West Virginia		$ 210,645		5.19	3
59	Wisconsin		$ 24,000		.60	41
60	Wyoming		*		*	49
61	U. S. Service Schools		0		----	54
62	American Samoa		$ 24,000		.60	41
63	Guam		0		----	54
64	Puerto Rico		$ 64,573		1.59	27
65	Virgin Islands		0		----	54
STATISTICAL WORK SHEET OE 5004			$4,180,000**		100.34	

APPENDIX 8-A

Arts Education Program

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 160g—ARTS EDUCATION PROGRAM

The Office of Education issues regulations governing grant awards to State and local educational agencies for arts education programs in elementary and secondary schools. The grants are intended to encourage and to assist in establishing, conducting, and improving arts programs as an integral part of the regular curriculum of elementary and secondary schools.

Notice of proposed rulemaking was published in the FEDERAL REGISTER on June 30, 1975 (40 FR 27485-91) proposing to add a new Part 160g to provide application criteria and procedures and to define the activities for which funds may be used under Section 409 of Pub. L. 93-380 (20 U.S.C. 1007). Interested persons were given 30 days in which to submit written comments, suggestions or objections.

A. *Summary.* Section 409 of Pub. L. 93-380 provides as follows:

"The Commissioner shall, during the period beginning after June 30, 1974 and ending on June 30, 1978, through arrangements made with the John F. Kennedy Center for the Performing Arts, carry out a program of grants and contracts to encourage and assist State and local educational agencies to establish and conduct programs in which the arts are an integral part of elementary and secondary school programs. * * *"

The statute authorizes a very limited amount of Federal assistance for the program. Pub. L. 94-94 provides $750,000 for fiscal year 1976. In order to best carry out the statutory purpose of making the arts an "integral part of elementary and secondary school programs," the Commissioner of Education has set forth the basic elements of an effective program. To complete successfully for assistance under this regulation, an educational agency must establish or maintain in a particular elementary or secondary school an arts education program with the elements spelled out in § 160g.3(c). Federal funds support activities (such as the employment of special staff or artists in residence) specifically related to such a school program. It is anticipated that the schools receiving assistance will serve as models for other schools.

Subpart A of the regulation contains general provisions that apply equally to State and local programs. These include the basic elements of an arts education program, a description of eligibility, the reservation of funds, and other general provisions. The role of the John F. Kennedy Center for the Performing Arts is described in § 160g.7, including technical and staff assistance, training and information, as well as assistance in the review of applications and evaluation of particular projects.

Subparts B and C of the regulation deal with local educational agency and State educational agency applications, respectively. Roughly analogous provisions relating to each type of application appear in each subpart. They relate to activities, application requirements, and the criteria for selection of applications. In addition, some provisions that relate solely to either local or State educational agencies are found in these subparts.

B. *Public comment and changes in regulation.* Many comments were submitted to the Office of Education in response to the notice of proposed rule making. Most of the comments were favorable to the central concept of arts education as an integral part of elementary and secondary education. Three comments resulted in significant changes to the regulation.

(1) One commenter suggested that the definition of "arts" in § 160g.2 be changed to the broader and more detailed definition of the term as set forth in section 3(b) of the National Foundation on the Arts and the Humanities Act (Pub. L. 89-209). The Office of Education agrees, and the definition has been changed accordingly.

(2) One commenter questioned the role of the Kennedy Center and inquired as to how its staff was selected to review applications for assistance under Part 160g. The role of the Kennedy Center is described in § 160g.7. The Office of Education has revised § 160g.7 to make it clear that the Kennedy Center may use its resources as it deems appropriate to carry out its functions under this program. Selection of staff is the sole responsibility of the Kennedy Center.

(3) Several commenters suggested that the regulation specifically encourage arts education programs for handicapped children. While all students, including handicapped students, would be involved in any program approved for a grant, §§ 160g.2, 160g.16, and 160g.26 have been revised to emphasize and facilitate the inclusion of the handicapped in the program. Section 160g.2 has been revised to include a definition of handicapped children. Sections 160g.16 and 160g.26, which cover the criteria for selection of applications from local and State educational agencies, respectively, have been changed to include consideration of the extent of activities specially designed to encourage the participation of handicapped children in local agency programs, and the recognition of the special needs of handicapped children in State agency programs.

In addition to these three major changes, typographical and editorial corrections and technical changes have been made, and the regulation has been substantially reorganized, simplified, and shortened.

C. *Response to other comments.* A number of comments were considered which did not result in change in the regulation because the commenters suggested changes which the Office of Education believes are beyond its authority under the Act, relate to matters already covered by the regulation, or suggest initiatives beyond the scope of the program at current funding levels. The major comments which did not result in changes are summarized and discussed in greater detail below. (References are to sections in the final regulation.)

1. § 160g.2 *Definitions.* § 160g.3 *Eligibility.* Several commenters suggested that definitions of "local educational agency" and "State educational agency" be broadened to include such agencies as nonprofit corporations providing educational radio and television programs and regional arts councils, thereby making these entities eligible for direct Federal support.

These changes are beyond the scope of the Act. While the terms "local educational agency" and "State educational agency" are used but not defined in Section 409, they are defined in numerous other statutes relating to aid to education, including the Elementary and Secondary Education Act (20 U.S.C. 881 (f), (k)). These statutory definitions have been incorporated into the regulation. In the absence of special definitions, the Commissioner understands that Congress intends these terms to carry the meaning normally ascribed to them in other education aid statutes.

Similarly, a suggestion by several commenters that the category of eligible parties include arts councils, alternative schools, and community colleges, as well as a suggestion that adults (as distinguished from elementary and secondary students) be directly served by the program, is beyond the statutory scheme. Section 409 expressly limits eligible applicants to State and local educational agencies and directs that the funds be used to promote integration of the arts into "elementary and secondary school" programs. However, while the entities or groups mentioned may not apply directly, their participation in the program is contemplated. While a local educational agency, not a school, must apply for a grant, assistance is directed toward individual school programs. Provision is made for the participation of both State and local arts councils in the regulation (see §§ 160g.14 (g) and (h); 160g.15; 160g.16(g); 160g.23(a); 160g.24(a)(4)), but not as direct applicants. The contribution of a range of community resources and of adult members of the community is encouraged by various provisions of the regulation (§ 160g.14 (g) and (h)).

(2) § 160g.3 *Elements of an arts education program.* (a) A commenter objected to the effort to universalize the arts experience and suggested that minimum exposure to the arts be provided all students while the services of special teachers and extra hour instruction be

provided only to gifted and motivated students. The Commissioner regards this suggestion as inconsistent with the basic purpose of the Federal program. The statutory authority (section 409 of Pub. L. 93-380) requires that arts be an integral part of elementary and secondary school programs. This goal is reflected in § 160g.3 of the regulation. Limiting arts education to after school hours or to gifted students alone would result in the treatment of the arts on a peripheral basis rather than as an integral part of the regular curriculum as contemplated in the statute. Involvement of all students in a school in an arts education program covering the spectrum of the arts has been a central feature of the Alliance for Arts Education program, which forms a basis for the new Section 409 program.

(b) A commenter's suggestion that an arts education program reflect the multicultural aspects of American society seems adequately addressed in the regulation. Since an arts education program must be designed to involve all students at all grade levels in the school or schools served, it is anticipated that such a program will be broad based and will naturally reflect the cultures of the participating students. The local advisory committee (established under § 160g.14(b)) should bring to bear the views and cultural values of the particular community served.

3. § 160g.5 *Funding.* A commenter suggested that § 160g.5 be changed so that one-third of the funds available for the Federal program be reserved for State educational agencies (under Subpart C of the regulation) and two-thirds be reserved for local educational agencies (under Subpart B of the regulation).

Section 160g.5(a) states an initial reservation of one-third of the available funds for local educational agency grants under Subpart B and two-thirds for State educational agency grants under Subpart C. This arrangement reflects the need for comprehensive Statewide planning in connection with the State projects; the anticipated greater multiplier effect of Statewide activities (given the limited amount of funds available); and past experience with State needs under the Alliance for Arts Education program. The initial reservation technique is designed to ensure that both local educational agency and State educational agency projects are funded.

4. § 160g.14 *Application requirements.* A commenter urged that each school should be dealt with as a single entity in the development of an arts education program and suggested that an application include, for each school which will be served, a general plan for the school's entire educational program with details as to specific actions which would be taken in areas such as administration, staff training, community participation, and cultural contacts.

The regulation as adopted essentially reflects a school based approach, see §§ 160g.3; 160g.12; 160g.14(a), while leaving details of individual program administration and implementation to school administrators.

5. § 160g.15 *State review of local educational agency applications.* A commenter suggested that all applications from local educational agencies be reviewed by the appropriate State educational agency in cooperation with the State Alliance for Arts Education Committee, and that both of these organizations assist in the selection of applicants within their States, thus enabling States with comprehensive arts education plans to coordinate State objectives with program objectives proposed by local educational agencies.

The regulation as adopted adequately recognizes the comment within the limits of the Commissioner's authority. Section 160g.15 provides that the State educational agency must be given an opportunity to review applications from local educational agencies and make comments. The State review is to be conducted in consultation with the State Alliance for Arts Education Committee (if one exists). This State educational agency review is in an advisory capacity. The Commissioner makes the final decision in making awards of assistance under the Act. However, State comments and recommendations will obviously play an important role in the selection process. As a means of encouraging State objectives to be coordinated with those proposed at the local level, a local educational agency must describe in its application under § 160g.14(e) how its own proposed program relates to any existing State plan for arts education.

6. § 160g.16 *Criteria for selection of applications.* A commenter suggested that support under this part should go to schools or local educational agencies demonstrating the most innovative and promising steps in arts education programs, and the greatest need for funds. The commenter further urged that school systems which have already taken tangible steps to promote arts education programs should be most favored under the funding criteria.

To the extent that the commenter urges both innovativeness and need as proper factors for judging applications, the criteria as drafted are responsive to these suggestions (see § 160g.16 (d) and (h) among the local educational agency criteria). The degree to which an applicant demonstrates creativeness in responding to the central elements of an arts education program (§ 160g.3(c); § 160g.16(b)) is a preeminent criterion. The regulation as a whole is designed to encourage maximum innovation and commitment by local educational agencies and State educational agencies in this area. On the other hand, the Commissioner believes that the regulation does not and should not favor local programs already in place over promising programs in a more formative stage.

7. *Other comments.* A number of other comments either called for funding of individual projects well beyond the capacity of the program at current funding levels (e.g., a substantial set-aside for State educational agency projects of one particular type) or raised questions of program administration which are answered in the regulation or elsewhere in distributed program materials (e.g., procedures for receipt of applications).

D. *Adoption and effective date.* Assistance provided under this program is subject to the governing legislation as well as the provisions of Part 100 of this chapter. Assistance under this program is also subject to applicable provisions of Subchapter A of this chapter (see in particular 45 CFR Part 100a).

After consideration of all comments, Title 45 of the Code of Federal Regulations is amended by adding a new Part 160g to read as set forth below.

Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d)), these regulations have been transmitted to the Congress concurrently with the publication of this document in the FEDERAL REGISTER (4-26-76). That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions thereof concerning Congressional action and adjournment.

(Catalog of Federal Domestic Assistance No. 13.566, Arts in Education)

Dated: April 7, 1976.

T. H. BELL,
U.S. Commissioner of Education.

Approved: April 16, 1976.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

Subpart A—General

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160g.2 Definitions.
160g.3 Eligibility for grants; required elements for program.
160g.4 Project duration.
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Sec.
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Subpart B—Local Educational Agencies

160g.11 Applicability.
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Subpart C—State Educational Agencies

160g.21 Applicability.
160g.22 Limitation on number of applications.
160g.23 Examples of projects.
160g.24 Application requirements.
160g.26 Criteria for approval of applications.

AUTHORITY: Sec. 409 of Pub. L. 93-380 (20 U.S.C. 1967), unless otherwise noted.

Subpart A—General

§ 160g.1 Scope and purpose.

(a) This part:

(1) Governs the award of grants to encourage and assist State and local educational agencies to establish and conduct programs in which the arts are an integral part of elementary and secondary school programs;

(2) Establishes criteria for the programs eligible for assistance; and

(3) Establishes procedures for applications for grants.

(b) Subchapter A and Part 100 of this chapter set forth fiscal, administrative, property management, and other matters applicable this part.

(c) This part applies to projects assisted with funds either appropriated pursuant to Section 409 of Pub. L. 93-380 or made available for that purpose

pursuant to the Special Projects Act, as enacted by Section 402 of Pub. L. 93-380.

(20 U.S.C. 1867)

§ 160g.2 Definitions.

Unless otherwise required by the context, the following definitions apply in this part:

"Act" means Section 409 of Pub. L. 93-380 (20 U.S.C. 1867).

"Alliance for Arts Education" means the joint program carried out by the Kennedy Center and the U.S. Office of Education to develop programs in the arts for children and youth which are designed for their participation, education, and recreation, under Pub. L. 85-874, as amended.

(20 U.S.C. 1867; Pub. L. 85-874)

"Alliance for Arts Education National Committee" means the committee appointed by the Board of the Kennedy Center to serve as the principal policy and advisory body to the Board for the Alliance for Arts Education Program.

(20 U.S.C. 1867)

"Arts" includes, but is not limited to, music, dance, drama, folk art, creative writing, architecture and allied fields, visual arts (including painting, sculpture, photography, graphic arts, and craft arts), industrial design, costume and fashion design, motion pictures, television, radio, tape and sound recording, the arts related to the presentation, performance, execution, and exhibition of those arts, and the study and application of the arts to the human environment.

(20 U.S.C. 1867, 952(b) (Pub. L. 89-209))

"Arts education program" means a program in which arts are an integral part of elementary and secondary school curricula and which complies with § 160g.3.

(20 U.S.C. 1867)

"Handicapped children" means children who need special education and related services because they are mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or otherwise health impaired, or have specific learning disabilities.

(20 U.S.C. 1401, 1867)

"Kennedy Center" means the John F. Kennedy Center for the Performing Arts.

(20 U.S.C. 1867)

"Local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as administrative agencies for the State's public elementary or secondary schools. The term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(20 U.S.C. 1867; 20 U.S.C. 881(f))

"State Alliance for Arts Education Committee" means a committee at the State level, established under the Alliance for Arts Education Program, consisting of members broadly representative of the fields of education and the arts, including but not limited to, arts organizations (such as State Arts Councils) and arts education (such as the National Art Education Association, the Music Educators National Conference, the American Theatre Association, and the National Dance Association), artists, teachers, and administrators in the arts.

(20 U.S.C. 1867)

"State educational agency" means the State board of education or other agency or officer primarily responsible for State supervision of public elementary and secondary schools, or if there is no such agency or officer, an agency or officer designated by the Governor or by State law for that purpose.

(20 U.S.C. 1867; 20 U.S.C. 881(k))

§ 160g.3 Eligibility for grants; required elements for program.

(a) The Commissioner may make grants to State and local educational agencies to aid and encourage them to establish, conduct, improve, or provide developmental and technical assistance for arts education programs in elementary and secondary schools.

(b) An arts education program with respect to which a State or local educational agency proposes a project must meet, or be designed to meet, the elements listed in paragraph (c) of this section. (An agency may apply for a grant to assist in establishing an arts education program not yet in operation).

(c) Each arts education program for which an application for a grant is made must be designed to:

(1) Encourage the development, in students, of an aesthetic awareness in the arts;

(2) Foster self-actualization, and the development of communicative skills through movement, sound, visual images, and verbal usage;

(3) Involve each student in each school covered by the application in enjoyment, understanding, creation, and evaluation of, and participation in, the arts;

(4) Address the spectrum of art forms, including at least dance, music, drama, and the visual arts;

(5) Integrate these art forms into the regular educational program as distinguished from treating them on an extracurricular or peripheral basis; and

(6) Infuse the arts into the curriculum to enhance and improve the quality and quantity of aesthetic education offered and to expand the use of the arts for cognitive and affective learning experience.

(20 U.S.C. 1867)

§ 160g.4 Project duration.

(a) Each grant is for a period of up to one year.

(b) If an applicant seeks a grant for an additional period, it must submit a new application to be evaluated in competition with all other applications.

(20 U.S.C. 1231e-3(a), 1867)

§ 160g.5 Initial funding.

(a) It is anticipated that one-third of the funds available for grants will be reserved for local educational agency programs under Subpart B and two-thirds for State educational agency programs under Subpart C.

(b) It is anticipated that, for fiscal year 1978, grants will range from $5,000 to $10,000. However, this paragraph does not limit the amount of funds which may be awarded to a particular applicant.

(20 U.S.C. 1867)

§ 160g.6 Costs.

(a) For the purpose of this Part, costs will be determined as provided in Appendix B to Subchapter A of this Chapter, subject to the restrictions in paragraph (b) of this section.

(b) The following costs are not allowable:

(1) Salaries for regular instructional services and expenses incidental thereto;

(2) Equipment costs and expenses incidental thereto; and

(3) Costs of facility construction.

(20 U.S.C. 1867)

§ 160g.7 Role of the Kennedy Center.

(a) Resources of the Kennedy Center, such as technical and staff assistance (including assistance with respect to project evaluations), training, and information on the arts may be provided to grant recipients at State and local sites, and at the Kennedy Center.

(b) The Kennedy Center will assist in the review of applications for grants and make recommendations to the Commissioner regarding them.

(c) For the purposes of this section, the Kennedy Center may use such instrumentalities or resources of the Center as it considers appropriate (including the Alliance for Arts Education National Committee).

(20 U.S.C. 1867)

Subpart B—Local Educational Agencies

§ 160g.11 Applicability.

This subpart applies to applications from and grants to local educational agencies under §§ 160g.14 and 160g.3.

§ 160g.12 Project areas.

(a) An application for a grant may be for a project relating to an arts education program to be carried out:

(1) By a single local educational agency, in one or more elementary or secondary schools in its school district; or

(2) By more than one local educational agency, applying jointly, in more than one elementary or secondary school in the applicants' school districts, or in a single school in one district.

(b) Each arts education program that does not involve all of the schools of the applicant must be a pilot program designed to be replicated in other schools of the applicant.

§ 160g.13 Examples of projects.

The following are examples of projects for which grants may be made, when specifically related to an arts education program:

(a) Inservice training for administrators, regular classroom teachers, and special arts teachers;

(b) The use of arts resource personnel for conducting an arts education program;

(c) The use of visiting artists and consultants as part of an arts education program;

(d) Special arrangements for the continuing use of arts institutions and other community resources, including museums, performing arts organizations, and art centers;

(e) Employment of a director, administrator, or coordinator;

(f) Curriculum development to infuse the arts into the total school environment;

(g) Providing any of the following developmental and technical assistance activities:

(1) Technical assistance by consultants;

(2) Assessment of needs for arts education programs;

(3) Surveys of arts resources which might be available for those programs;

(4) Planning;

(5) Training of administrators, staff, and community representatives with responsibility for planning and organizing those programs;

(6) Evaluation of those programs; and

(7) Information for those programs.

(20 U.S.C. 1867)

§ 160g.14 Application requirements.

The Commissioner may not make a grant unless the local educational agency submits an application containing:

(a) A description of the school or schools in which the arts education program to be assisted will be carried out, including the educational program and any arts activities which are a part of that program;

(b) A brief description of the school system of which the school or schools covered by the application are a part;

(c) A plan to integrate the art forms (including at least dance, music, drama, and the visual arts) into the regular educational program in the schools to be assisted through the establishment of an arts education program;

(d) A description of how the activities proposed under the project relate to the plan described in paragraph (c) of this section;

(e) A description of how the plan relates to the State plan for arts education, if any;

(f) An explanation of the applicant's need for Federal assistance to carry out the project;

(g) A brief description of the involvement (on an advisory basis) of arts resources, in the area to be served by the project, in preparing the application, including, but not limited to, any recognized arts committees such as those established under the Alliance for Arts Education Program and other arts education programs;

(h) Provision for establishing an advisory committee, if the grant is made, which will be involved in developing and carrying out the project, to be composed of persons broadly representative of arts resources in the area to be served, including such persons as representatives of:

(1) The State educational agency (arts specialist or administrator);

(2) The local educational agency (administrator or teacher);

(3) The State arts agency (executive director or chairperson);

(4) The local arts agency (executive director, president, or artistic director);

(5) Professional arts education associations (such as the Music Educators National Conference, the National Art Education Association, the American Theatre Association, and the National Dance Association);

(6) Artists (professional or in training);

(7) Parents of children who will be served by the project; and

(8) Students who will be so served.

(i) A brief statement of how the project is designed to prevent supplanting or duplicating other activities and services in the area to be served by the project.

(20 U.S.C. 1231d, 1867)

§ 160g.15 State review of applications.

(a) The Commissioner may not approve an application unless the State educational agency, in consultation with the State Alliance for Arts Education Committee, if any, has had an opportunity to review and comment on the application.

(b) The local educational agency shall send a copy of its application to the State educational agency at the same time it sends the application to the Commissioner. The application must show that a copy of it was sent to the State agency.

(c) The State educational agency and the State Alliance for Arts Education Committee have 30 days after date of receipt of the copy of the application in which to review it. If the State agency does not send comments on the application to the Commissioner within that period, it is considered to have waived the right to comment.

(20 U.S.C. 1867)

§ 160g.16 Criteria for approval of applications.

In determining whether to approve an application, and the amount of the grant, the Commissioner, in consultation with the Kennedy Center, shall consider the following, with the maximum number of points to be given each item as indicated:

(a) (10 points). The criteria in § 100a.-26(b) of this chapter;

(b) (15 points). The degree to which the arts education program covered by the application meets (or will meet if assisted) the program elements in § 160g.3;

(c) (10 points). The degree to which the project promises to enhance substantially the quality and scope of arts education programs in the schools covered by the application;

(d) (10 points). The applicant's need for Federal assistance for the project;

(e) (10 points). The likelihood that the applicant will continue the program and expand it to other schools after the Federal assistance ends, as measured by:

(1) Evidence of the applicant's financial and other commitment (including that of its policy-making board); and

(2) The extent of the involvement of all school personnel.

(f) (10 points). The extent to which the project is designed to build the capacity of the applicant to plan and carry out the project so that arts education is made an integral part of the curriculum;

(g) (10 points). The extent to which project will use and complement existing and planned arts resources in the area to be served;

(h) (10 points). The extent to which the project involves innovative and exemplary approaches or activities in arts education which would be worthy of replication in other schools;

(i) (5 points). The extent to which approval of the application will promote the equitable geographic distribution of arts education programs and diversity in the kinds of participating school systems, including such considerations as school populations that are urban, rural, or relatively educationally disadvantaged; and

(j) (10 points). The extent to which the project specially provides for activities designed to encourage the participation of handicapped children.

(20 U.S.C. 1867)

Subpart C—State Educational Agencies

§ 160g.21 Applicability.

This subpart applies to applications from and grants to State educational agencies under §§ 160g.24 and 160g.3 for projects to encourage and assist in establishing, carrying out, and improving arts education programs in local educational agencies throughout the State.

(20 U.S.C. 1867)

§ 160g.22 Limitation on number of applications.

A State educational agency may submit only one application in a fiscal year for assistance under this subpart.

(20 U.S.C. 1867)

§ 160g.23 Examples of projects.

The following are examples of State projects for which grants may be made, when specifically related to arts education programs:

(a) The establishment and operation of a State agency (such as the State Alliance for Arts Education Committee) to assess, coordinate, and use arts resources in the State to strengthen or help to establish specific local programs;

(b) A survey of currently existing arts programs in elementary and secondary schools in local educational agencies, and an analysis of these programs in terms of meeting the elements in § 160g.3;

(c) A determination of the need for arts education programs in specific local educational agencies, based on the survey and analysis conducted under paragraph (b) of this section;

(d) Development of a comprehensive State plan for the establishment of arts education programs, which meet the elements set forth in § 160g.3, in local educational agencies; and

(e) Providing any of the following developmental and technical assistance activities to particular local educational agencies to establish, conduct, and improve their programs:

(1) Technical assistance by arts consultants and arts resource personnel;

(2) Planning and evaluation of activities;

(3) Training of administrators, co-

ordinators, and staff with responsibility for the programs;

(4) Training of administrators and coordinators at the State level for planning and carrying out arts activities on a State-wide basis;

(5) Inservice training of regular classroom teachers and special arts teachers; and

(6) Dissemination of information on arts education programs in local educational agencies throughout the State.

(20 U.S.C. 1867)

§ 160g.24 Application requirements.

(a) The Commissioner may not make a grant unless the State educational agency submits an application containing:

(1) A description of current and proposed State plans and activities to assist local educational agencies throughout the State in establishing, carrying out, and improving arts education programs;

(2) A description of the project and its relation to the establishment, carrying out, and improvement of arts education programs throughout the State;

(3) An explanation of the applicant's need for Federal assistance to carry out the project;

(4) A brief description of the involvement (on an advisory basis) of arts resources in the State, including but not limited to, the State Alliance for Arts Education Committee and the comments (if any) of such Committee on the application;

(5) Provision for establishing an advisory committee, if the grant is made, which will be involved in developing and carrying out the project. The committee shall be composed of persons broadly representative of arts resources throughout the State, including such persons as representatives of:

(i) The State Department of Education (arts specialist or administrator);

(ii) The State arts agency;

(iii) Professional arts education associations (such as the Music Educators National Conference, the National Art Education Association, the American Theatre Association, and the National Dance Association);

(iv) Artists (professional or in training); and

(v) Teachers and administrators;

(6) A brief statement of how the project is designed to prevent supplanting or duplicating other State activities and services in arts education;

(b) For the purpose of paragraph (a)(5) of this section, the State may designate its State Alliance for Arts Education Committee, if any, as the advisory committee.

(20 U.S.C. 1867)

§ 160g.26 Criteria for approval of applications.

In determining whether to approve an application, and the amount of a grant, the Commissioner, in consultation with the Kennedy Center, will consider the following, with the maximum number of points to be given each item as indicated:

(a) (10 points) The criteria in § 160a.26(b) of this chapter;

(b) (15 points) The degree to which the project promises to enhance substantially the quality and scope of existing arts education programs in local educational agencies throughout the State;

(c) (15 points) The extent to which the project will help to establish arts education programs throughout the State including areas where those programs do not currently exist;

(d) (15 points) The likelihood that the applicant will continue the project after Federal assistance ends, as measured by:

(1) Evidence of the applicant's financial and other commitment; and

(2) The extent to which the project is designed to build the capacity of the applicant to plan and assist local educational agencies to carry out arts education programs;

(e) (15 points) The extent to which the project will use existing and planned arts resources throughout the State;

(f) (10 points) The extent to which any arts education program which a project might assist can be replicated in a variety of settings;

(g) (10 points) The extent to which the project takes into account the special needs of handicapped children in arts education programs in the State and is designed to encourage their participation; and

(h) (10 points) Evidence of the applicant's commitment to furthering arts education programs in all elementary and secondary schools in the State, as shown by existing or planned organizational status, within the State educational agency, of personnel with administrative responsibilities for those programs.

(20 U.S.C. 1867)

[FR Doc.76-11946 Filed 4-23-76;8:45 am]

APPENDIX 8-B

SELECTED INFORMATION ON ARTS EDUCATION PROJECTS
AND FUNDING FROM THE U.S. OFFICE OF EDUCATION

FY 1977 GRANTS
ARTS EDUCATION PROGRAM

SEA/LEA AND PROJECT DIRECTOR	PROJECT TITLE	AMOUNT
ALABAMA		
Jefferson County Board of Education Birmingham, Alabama E. A. Hollis	Pilot Program Infusing Arts Into School Environment	$ 4,343
Piedmont City Schools Piedmont, Alabama Theresa Kisor	Piedmont's Arts and Education Program	10,000
ARIZONA		
Arizona Department of Education Phoenix, Arizona Raymond Van Diest	Arizona Comprehensive Arts Program	10,000
Wilson Elementary District #7 Phoenix, Arizona Thomas Makris	Creative Art Program	10,000
ARKANSAS		
Little Rock School District Little Rock, Arkansas Ruth Knutson	Arts in Education	10,000
CALIFORNIA		
State Department of Education, Sacramento, California Louis Nash	Comprehensive Arts Education Implementation Project	10,000
Brentwood Union School District Brentwood, California William B. Bristow	Brentwood Arts Program	8,625
Glendale Unified School District Glendale, California Audrey Welch	Arts Partnership	10,000
Los Altos School District Los Altos, California Robert W. Reasoner	Strengthening Education in the Arts	8,900
San Juan Unified School District Carmichael, California Robert R. Ogle	Old Ways in the New World	9,950

SEA/LEA AND PROJECT DIRECTOR	PROJECT TITLE	AMOUNT
COLORADO		
Colorado Department of Education Denver, Colorado Jerry Villars	Integrating the Arts Within the School Curriculum	10,000
Jefferson County Schools Lakewood, Colorado James Allison	Jeffco Arts in Education Program	10,000
CONNECTICUT		
Connecticut State Department of Education Hartford, Connecticut Robert Saunders	Comprehensive Arts Planning, Phase II	10,000
New Haven Public Schools New Haven, Connecticut Mary E. Boyle	Integrated Arts Curriculum Project	10,000
Waterbury Board of Education Waterbury, Connecticut Richard Wood	Integrated Dialectic Exploratory Arts Project	10,000
FLORIDA		
Duval County School Board Jacksonville, Florida Jerry Gugel	John Love Arts in Education II	10,000
GEORGIA		
Georgia Department of Education Atlanta, Georgia Jack P. Nix	Arts Education Program	$10,000
IDAHO		
Idaho State Department of Education Boise, Idaho Bert Burda	Production of Curriculum Guides in Visual Arts, Dance, and Theater for Idaho Schools	9,948
School District #131 Nampa, Idaho	Arts Through Storytelling	9,9999
ILLINOIS		
Illinois Office of Education Springfield, Illinois Mina Halliday	Illinois Arts in General Education Implementation and Arts Advocacy Building Program	10,000

SEA/LEA AND PROJECT DIRECTOR	PROJECT TITLE	AMOUNT
ILLINOIS (continued)		
School District #151 South Holland, Illinois Shirley Pearson	Creative Operation Through the Arts	$10,000
INDIANA		
Indiana State Department of Public Instruction Indianapolis, Indiana Ann Timberman	Indiana Interagency Arts in Education Program	10,000
Lafayette School Corporation Lafayette, Indiana Betty W. Mowery	Arts In Education Program	10,000
Mt. Vernon Metropolitan School District Melody Lewis	Mount Vernon Arts in Education Program	10,000
IOWA		
Iowa State Department of Public Instruction Des Moines, Iowa Laura Magee	Iowa Alliance for Arts Education Project '78	10,000
KANSAS		
Kansas State Department of Education George R. Neaderhiser	Interrelated Comprehensive Arts Program	10,000
KENTUCKY		
Kentucky Department of Education Frankfort, Kentucky Robert Elkins	Comprehensive Planning for Arts Education	10,000
LOUISIANA		
Louisiana State Department of Education Baton Rouge, Louisiana Shirley T. Corey	Arts Advocacy in the Curriculum	10,000
Orleans Parish School Board New Orleans, Louisiana Shirley T. Corey	Learning Through the Arts	10,000

SEA/LEA AND PROJECT DIRECTOR	PROJECT TITLE	AMOUNT
MAINE		
Portland Public Schools Portland, Maine Richard Whitmore	The Arts, Artists, and Artisans	$ 9,988
MARYLAND		
Maryland State Department of Education Linthicum, Maryland Harold H. Lott	A Statewide Project of Developmental and Technical Assistance to LEAs	10,000
Montgomery County Public Schools Rockville, Maryland Janet Brome	Teacher Training Model in Aesthetic Education	9,605
MASSACHUSETTS		
Massachusetts Department of Education Boston, Massachusetts	To Identify, Disseminate, and Diffuse Exemplary Arts in Education Programs in LEAs	10,000
New Bedford School Department New Bedford, Massachusetts M. Daniel Germano	Unifying Arts to Develop Total Arts Curriculum	10,000
MICHIGAN		
Michigan Department of Education Lansing, Michigan Richard E. Barnhart	Implementation of State Plan for Arts in Education in Michigan	10,000
Eaton Intermediate School District Charlotte, Michigan Barbara J. Davis	Freeing Teachers for Creative Education	10,000
Royal Oak City School District Royal Oak, Michigan Virginia Boitz	Royal Oak Arts in Education Program	10,000
MINNESOTA		
Minnesota Department of Education St. Paul, Minnesota David Price	To Continue Planning and Implementation of a Statewide Arts in Education Program	10,000

SEA/LEA AND PROJECT DIRECTOR	PROJECT TITLE	AMOUNT
MINNESOTA (continued)		
Duluth Public Schools Duluth, Minnesota Elmer A. Bornard	Comprehensive Arts in Education Program in School/Community Sites	$10,000
MISSISSIPPI		
Mississippi State Department of Education Jackson, Mississippi Sandra Nicola	Arts Integration in Mississippi: Arts Training Program for Mississippi Teachers	10,000
MONTANA		
Office of Public Instruction Helena, Montana Robert Crebo	Survey of Arts Education in Montana Schools	9,989
NEBRASKA		
Nebraska State Department of Education Lincoln, Nebraska Stephen Lahr	Shared Arts Team Planning and Development	10,000
Westside Community Schools Omaha, Nebraska Velda D. Stokke	Valley View Consortium Arts Infusion Project	10,000
NEW HAMPSHIRE		
Concord Union School District Concord, New Hampshire Roger C. Brooks and Sandra Methven	Millville Media Model	9,750
Lebanon School District Hanover, New Hampshire Jerome Damron	Dartmouth Upper-Valley Arts Education Assistance Project	9,905
NEW JERSEY		
New Jersey Department of Education Trenton, New Jersey Susan Brainerd	Preparing a State Plan for Arts in Education	10,000
Parsippany-Troy Hills Board of Education Cedar Knolls, New Jersey Thomas Hamill	Arts Based Curriculum Project	9,900

SEA/LEA AND PROJECT DIRECTOR	PROJECT TITLE	AMOUNT
NEW YORK		
New York State Education Department Albany, New York Helen Matthews	Integrating the Arts into General Education	$10,000
City of New York Board of Education Brooklyn, New York Carol Fineberg	Arts in General Project	$10,000
Schodack Central School District Castleton, New York Richard E. Bamberger	The Readiness is All	$10,000
City of New York Board of Education New York, New York Robert J. Mendillo	Integrated Arts Program	$10,000
Community School District #4 New York, New York Dori Collazo and Terry Baker	Arts Resources for Teachers	$10,000
New York Community School District I Henry Street Settlement New York, New York Steve Tennen	Integration of Arts into the Curricula	$10,000
New York City Board of Education District 29Q New York, New York Murray Hoffman, June Timmins and Marguerite Smerechniak	Infusion of Arts into the Curriculum	$10,000
BOCES of Nassau County Westbury, New York Ava Favara	Regional Arts-in-Education Program	$10,000
Board of Cooperative Educational Services Yorkville, New York Charles V. Mead	Integrated Arts for the Handicapped	$ 9,974
NORTH CAROLINA		
Fayetteville City Board of Education Fayetteville, North Carolina Charles L. Davis	Fayettaville City Schools Total Art Program	$10,000
NORTH DAKOTA		
Department of Public Instruction Bismarck, North Dakota Lowell Jensen	A Project to Provide for Coordination among various Arts and Cultural Agencies in North Dakota	$ 7,500

SEA/LEA AND PROJECT DIRECTOR	PROJECT TITLE	AMOUNT
OHIO		
Cleveland City Schools Cleveland, Ohio Robert E. Wolde	Comprehensive Arts Programs	$ 9,998
Lakota School District West Chester, Ohio Roselle Martin	Arts Education Program	$10,000
OKLAHOMA		
State Department of Education Oklahoma City, Oklahoma Charles Mohr and Peggy Long	A Project to Disseminate and Evaluate Arts in Education	$10,000
PENNSYLVANIA		
Pennsylvania Department of Education Harrisburg, Pennsylvania Clyde M. McGeary	State Plan for Arts in Education	$10,000
North Hills School District Pittsburgh, Pennsylvania William L. Waack	Teachers; Artists; Students; Curriculum	$ 7,500
SOUTH CAROLINA		
School District of Kershaw County Camden, South Carolina Mary B. Duval	Growth Through the Arts	$ 9,983
Laurens County School District 55 Laurens, South Carolina Edith Davis	Arts Resources in Essential Skills	$ 9,171
TENNESSEE		
Coffee County Board of Education Manchester, Tennessee James G. Jarrell	Nature's Pathway to the Arts	$10,000
Memphis City Schools Memphis, Tennessee Alice Swanson	Aesthetic Education	$10,000

SEA/LEA AND PROJECT DIRECTOR	PROJECT TITLE	AMOUNT
TEXAS		
Texas Education Agency Austin, Texas Leroy F. Psenick	What Is Basic Education? A Conference to Provide Data from Which to Develop Comprehensive State Plans	$ 9,984
Denton Independent School District Denton, Texas Betty Jo Clifford	Aesthetics in Education: Expansion of Classroom Environment	$ 9,285
UTAH		
Utah State Board of Education Salt Lake City, Utah Rowan Stutz	Statewide Planning for Arts Education	$ 9,958
VIRGINIA		
Virginia Department of Education Richmond City, Virginia Baylor E. Nichols	Arts Education: Inservice Training of Regular Classroom Teachers, Specialists in the Arts, and Administrators	$10,000
Arlington Public Schools Arlington, Virginia Larry V. Bohnert	Interdisciplinary Curriculum Development	$10,000
WASHINGTON		
State of Washington Olympia, Washington James Sjolund	Comprehensive Arts Education Project A Service Delivery System to Serve LEAS in the Development of Arts in Education Programs	$10,000
Kennewick School District #17 Kennewick, Washington Donald N. Anderson	Westgate School: Arts in Education	$ 5,745
WEST VIRGINIA		
West Virginia Department of Education Charleston, West Virginia Virginia Walker	Image II: Infusion of Multi Arts in General Education	$10,000
WISCONSIN		
West Allis-West Milwaukee School District West Allis, Wisconsin Kenneth [illegible] Cottingham	Arts Therapy	$10,000

SEA/LEA AND PROJECT DIRECTOR	PROJECT TITLE	AMOUNT
MARSHALL ISLANDS		
Trust Territory of the Pacific Islands District Deparment of Education Majuro, Marshall Islands Trust Territory William C. Graham	Project Reap (Rita/DELAP Elementary Art Project)	$10,000

Project Titles and Contacts for Grants Awarded
Under the Arts Education Program, Sec. 409
Pub. L. 93-380, FY 76

Project Title	Project director/contact
Mobile County Arts In Education Program $ 4,000	Henry A. Pope, Asst. Supt. Division of Curric. & Instruction Mobile County Public Schools Mobile, Alabama 36601
Affective Education for Educational Decision Makers $ 2,000	D. Delisle Black, Jr. State Department of Education Montgomery, Alabama 36130
Arts Education Special Project $ 3,000	Nathaniel Cole, Deputy Commsr. State Department of Education Juneau, Alaska 99811
Arizona Comprehensive Integrated Arts Plan Implementation $10,000	Raymond G. Van Diest, Fine Arts Specialist State Department of Education Phoenix, Arizona 85007
Comprehensive State Plan for Arts in Education $10,000	Leon Adams, Supvr., Education State Department of Education Little Rock, Arkansas 72202
Arts in Education Program $10,000	Ruth Knutson, Arts Coordinator Department of Instruction Little Rock School District Little Rock, Arkansas 72201
Elementary School Arts Curriculum Development $ 8,000	Forrest D. Shigley, Principal Ciprianl School Belmont School District 2960 Hallmark Drive Belmont, California 94002
Brentwood Arts Education Program $ 8,981	William B. Bristow, Supt. Brentwood Union School District 250 First Street Brentwood, California 94513
Integrated Arts Education Inservice for Teachers (IAEIT) $ 9,924	Richard Slaker, Vocal Music Supvr. Chula Vista City School District 84 East J Street Chula Vista, California 92012
Arts in Education $ 5,000	Darrell Crawford, Supvr., Arts Ed. Modesto City Schools 426 LocustStreet Modesto, California 95351
Leadership Training and Implementation of Comprehensive Arts Education $10,000	Louis Nash, Consultant in Arts Ed. State Department of Education Sacramento, California 95814

Project Title	Project director/contact
Project OASIS: Our Arts Specialists in Schools $10,000	James Allison, Coord. in Arts Ed. Jefferson County Public Schools 1209 Quail Street Lakewood, Colorado 80215
Statewide Program for Arts Education $ 4,000	Roger L. Duncan, Director, Develop. & Demonstration Unit State Department of Education Denver, Colorado 80203
Connecticut Comprehensive Arts Planning Project $ 8,860	Robert Saunders, Art Consultant State Department of Education Hartford, Connecticut 06115
Integrated Arts Curriculum Project - Teacher Training Component $10,000	Mary Boyle, Arts Resource Teacher New Haven Public Schools 200 Orange Street New Haven, Connecticut 06510
John Love Elementary School Arts Education Program $ 7,500	Jerry Gugel, Principal John Love School Duval County School Board Jacksonville, Florida 32207
Florida Alliance for Arts Education $ 7,500	Nell Mooney, State Art Consultant State Department of Education 111 Miles Johnson Bldg., Tallahassee, Florida 32304
OK Talents Program $ 8,000	Collis Van Porter, Talents Director School Board of Okaloosa County Fort Walton Beach, Florida 32548
Bacon County Arts Education Program $10,000	Timothy Warnock Bacon County Board of Education Alma, Georgia 31510
Georgia Alliance for Arts Education $ 9,000	Frank Crockett State Board of Education Atlanta, Georgia 30334
Creative Arts Training for Idaho Classroom and Special Education Teachers $ 8,000	Bert A. Burda, Music Consultant State Department of Education Boise, Idaho 83720
Pilot Project for the Integrated Arts in Elementary Schools $ 9,640	Clyde Carraway, Music Coordinator School District No. 91 Idaho Falls, Idaho 83401

Project Title	Project director/contact
Completing an Elementary School Fine Arts Curriculum $ 7,800	Joseph E. Hill, Supt. Community Consolidated School Dist. 65 Evanston, Illinois 60201
Illinois Arts in General Education Planning Project $ 6,250	Mina Halliday, Educational Consult. for Drama and Speech Illinois Office of Education Springfield, Illinois 62777
Arts in Education, Elkhart Plan $10,000	Warren Brenniman, Director of Secondary Education Elkhart Community Schools Elkhart, Indiana 46514
Indiana Arts in Education Program $10,000	Ann Timberman, Art Consultant State Dept. of Public Instruction Indianapolis, Indiana 46204
Arts in Education Program $10,000	Ben O. Rifner, Art Supervisor Lafayette School Corporation Lafayette, Indiana 47904
Arts Education Program $ 9,424	Bill Saunders, Director of Career Ed. Garden City Unified School Dist. 457 Garden City, Kansas 67846
Interrelated Comprehensive Arts Program $ 7,925	George Neaderhiser, Music Ed. Spec. State Department of Education Topeka, Kansas 66612
Learning Through the Arts for Life $10,000	Maxine Johnson, Instructional Supvr. Breathitt County Board of Education Jackson, Kentucky 41339
Kentucky Alliance for Arts Education $ 4,000	William McQueen, Music Education State Department of Education Frankfort, Kentucky 40601
Arts Infusion into the Curriculum $ 9,971	Shirley Trusty Corey State Department of Education Baton Rouge, Louisiana 70804
Arts for Learning $10,000	Shirley Trusty Corey, Supvr., Cultural Resources Orleans Parish School Board New Orleans, Louisiana 70122
Arts Education Program $10,000	Marilyn Carr Maine School Administrative Dist. 37 Harrington, Maine 04643

Project Title	Project director/contact
Maine State Alliance for Arts Education $ 9,200	Virgilio Mori, Music Consultant State Department of Education and Cultural Services Augusta, Maine 04333
Support Activities for Arts Education in Montgomery County, Maryland $ 8,000	Janet Pitts, Project Director Dept. of Curric. & Instruction Montgomery County Public Schools Rockville, Maryland 20850
An Analysis of Arts Needs and Resources for Developing Strategies for Implementing Arts Education Programs in Local Education Agencies $10,000	Harold H. Lott, Consultant in Art State Department of Education Linthicum Heights, Maryland 21090
Arts in Lawrence $ 9,400	Suzanne M. Piscitello Director of Federal Programs Lawrence Public Schools Lawrence, Massachusetts 01840
Comprehensive Statewide Plan to Assist LEAs to Incorporate Community Resources into Arts in Education Programs $ 5,000	John Hagerty, Arts Specialist State Department of Education Boston, Massachusetts 02111
Elementary Arts Education $10,000	Maurice Frost, Coord. in Fine Arts Flint Community Schools Flint, Michigan 48502
Coordinated Curricular Arts Education Program $ 8,000	David Steele, Supt. Hillsdale County Intermediate Schools Hillsdale, Michigan 49242
Implementation of State Plan for Arts in Education $10,000	John Porter, Supt. of Pub. Instr. State Department of Education Lansing, Michigan 48902
Validation of Strategies for the Development of a Comprehensive Arts in Education Program in School-Community Sites $10,000	Kay Vander Horck, Art Coordinator Duluth Public Schools Duluth, Minnesota 55802
Comprehensive Seate Plan: Arts in Education in Minnesota $10,000	David Price, Music Coordinator State Department of Education St. Paul, Minnesota 55101
Mississippi Arts Education Program $ 5,000	Troy White, Asst. Dir., Div. of Instruction State Department of Education Jackson, Mississippi 39205

Project title	Project director/contact
Image Makers Program $10,000	Timothy R. Tomlinson Eugene Field School 4466 Olive Street St. Louis, Missouri 63108
The Arts and Basic Quality Education $ 8,500	Elsom Eldridge, Jr., Arts & Humanities Coord. Dept. of Public Instruction Helena, Montana 59601
Arts Education Program Team $10,000	Steven Lahr State Department of Education Lincoln, Nebraska 60508
Valley View Consortium Arts Infusion Project $10,000	Velda Stokke Westside Community Schools 3534 So. 108th St. Omaha, Nebraska 68144
Nevada Arts: Needs Assessment $ 6,000	Thomas Summers State Department of Education Carson City, Nevada 89701
New Hampshire Comprehensive Arts in Education Plan $10,000	John Gray, Consult. Arts Ed. State Department of Education Concord, New Hampshire 03301
The Archway School Exposure to and Subsequent Participation in the Integrated Arts $10,000	M. Jill Horenberger Bordentown Regional High School Bordentown, New Jersey 08505
Northern Pueblos Arts Education $ 5,375	Marian D. Lee Bureau of Indian Affairs Northern Pueblos Agency Santa Fe, New Mexico 87501
School Administrators Arts Workshops $10,000	Rollie Heitman, Arts Specialist State Department of Education Santa Fe, New Mexico 87503
Cambridge Arts Program $ 5,000	Edward Green, Music Instructor Cambridge Central School Cambridge, New York 12816
Arts Education Program $ 4,592	Howard Sadowsky, Principal P. S. 56, School Dist. 13 170 Gates Avenue Brooklyn, New York 11238

Project title	Project director/contact
Arts Education Program $ 9,000	Mrs. Ethel Tucker, Dir. Funded Programs District 21 345 Van Sicklen Street Brooklyn, New York 11223
Arts in General Education Project (AGE) $10,000	Carol Fineberg, AGE Project Mgr. City School District of New York Brooklyn, New York 11201
Integrating the Arts into General Education in New York State $10,000	Vivienne Anderson, Asst. Commr. of Gen. Educ. & Curric. Serv. New York State Education Dept. Albany, New York 12234
Search for Education Through Arts and Related Content, Project SEARCH/ Integrated Arts (in the Humanities) $ 7,750	Angela Elefante, Coord., Project SEARCH Utica City School District 13 Elizabeth Street Utica, New York 13501
Integrating the Arts into the General Curriculum for All Students $10,000	Everett Bastian, Principal South Elementary Schools 119 S. Avenue Webster, New York 14580
Fayetteville City Schools Total Art Program $10,000	Charlie Davis, Director of Fed. Programs Fayetteville City Schools Fayetteville, North Carolina 28303
Arts Planning and Technical Assistance Councils Coordinator $10,000	James R. Hall, Director, Div. of Cultural Arts State Dept. of Public Instruction Raleigh, North Carolina 27611
Fargo Creative Dramatics Project $10,000	Vince Lindstrom, Cultural Resources Coordinator Fargo Public Schools 1104 2nd Avenue S Fargo, North Dakota 58102
North Dakota Alliance for Arts Education Project $ 7,500	Lowell Jensen, Asst. Supt. for Instruction State Department of Public Instr. Bismarck, North Dakota 58505
Horizontal and Vertical Expansions of Columbus, Ohio IMPACT Model $10,000	Martin Russell, Supvr., Dept. of Fine and Performing Arts Columbus City School District 270 E. State Street Columbus, Ohio 43215

Project title	Project director/contact
Forum on the Arts in Education and Conference to Design State Master Plan for Arts in Ohio Schools $10,000	James Lantz, Director, Div. of Elementary and Secondary Ed. State Department of Education Columbus, Ohio 43215
Arts Communication Training Project $10,000	Peggy Long, Fine Arts Specialist State Department of Education Oklahoma City, Oklahoma 73105
Arts Education (Developing Aesthetic Awareness) $ 4,370	Kent Myers, Asst. Supt. Lake Oswego Public Schools Lake Oswego, Oregon 97034
Arts II (Arts Relate to Teachers and Students) $ 5,000	Dale Aeblscher, Chairman, Oregon Alliance for Arts Education State Department of Education Salem, Oregon 97310
Arts Education Program for Five School Districts $10,000	Mrs. S. Bromiley Eagleson, Exec. Director, Philadelphia Chapter of Young Audiences 31 South Penn Street Allentown, Pennsylvania 18105
Project Encompass $ 9,835	William Waack, Supvr. of Performing Arts North Hills School District 53 Rochester Road Pittsburgh, Pennsylvania 15229
Pennsylvania Alliance for Arts Education $10,000	Clyde M. McGeary, Director, Arts and Humanities State Department of Education Harrisburg, Pennsylvania 17126
A Public Information Program and Workshop Prototype Directed Toward the Inc. of the Arts Within the School Curriculum $10,000	Edward L. Dambruch State Dept. of Education Providence, Rhode Island 02908
Growth Through the Arts $ 8,142	Mrs. Mary Duval, Director of Federal Programs Kershaw County School District Camden, South Carolina 29020
South Carolina Comprehensive Arts Planning Project $ 5,000	Thomas Hatfield, Art Consultant State Department of Education Columbus, South Carolina 29204

Project title	Project director/contact
Redirecting the Arts Education for a Technical Society $ 5,000	John Gaines, Director of Secondary Education State Department of Education Nashville, Tennessee 37219
Integrating Arts Education into Curriculum of Reston Elementary Schools $ 9,924	Genie Rose Brock, Project Dir., Fairfax County Public Schools 10700 Page Avenue Fairfax, Virginia 22030
Arts in Vermont Education $ 5,000	Donn McCafferty, Chief, Second. Ed. State Department of Education Montpelier, Vermont 05602
Arts Education: A Rationale and Suggested Criteria for Effective Programs $ 5,000	Baylor E. Nichols, Supvr, Art Ed. State Dept. of Education Richmond City, Virginia 23216
Arts in Education: Comprehensive Planning Process $10,000	James Sjolund Department of Public Instruction Olympia, Washington 98504
Seattle Arts in Education Program $10,000	Ray Thompson, Coord., Arts & Sciences Seattle Public Schools 815 Fourth Avenue North Seattle, Washington 98109
Company Seven Pilot Project for Arts Infusion in Social Studies and Language Arts Courses $ 9,700	Richard Williams, Art Coordinator Yakima Public Schools Dist. 7 Yakima, Washington 98902
Lincoln County's Integrated Arts Program $ 8,000	Virginia Walker Lincoln County Schools Main St. and Lynn Ave. Hamlin, West Virginia 25523
The Alliance for Arts Education and the State Department of Education: Development of a Comprehensive State Arts Plan $ 9,988	Virginia Walker, Curric. Develop. Specialist State Dept. of Education Charleston, West Virginia 25305
Comprehensive Statewide Arts Education Plan Regional Conferences $ 9,990	Earl Collins, Coord. of Arts and Humanities State Department of Public Instr. Madison, Wisconsin 53702
Palau Performing Arts Project $ 9,900	Alfonso Oiterong, District Dir. of Education Palau District Dept. of Education Koror, Palau 96944
Taura Elementary Art Project $10,000	Ralph Waltz District Department of Education Majuro, Marshall Islands 96960
YAP Junior High School Art Education Curriculum Development Project $ 8,059	Stanley Konrad, Audio-Visual Specialist Yap District Department of Education Yap, Trust Territory 96943

APPENDIX 9-A

federal register

FRIDAY, DECEMBER 12, 1975

PART II:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

COMMUNITY EDUCATION PROGRAM

Criteria Governing Grant Awards

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 160c—COMMUNITY EDUCATION PROGRAM

Notice of proposed rulemaking was published in the FEDERAL REGISTER on April 18, 1975 (40 FR 17394) setting forth proposed regulations under the Community Schools Act, section 405 of Pub. L. 93-380, 20 U.S.C. 1864, to be set forth in a new Part 160c of Title 45 of the Code of Federal Regulations.

The proposed regulation, which was developed with the advice of the Community Education Advisory Council established by section 405(g) of Pub. L. 93-380, set forth proposed rules and criteria governing grant awards by the Commissioner of Education to (1) State and local educational agencies to plan, establish, expand, improve, and maintain community education programs (and to provide developmental and technical assistance in connection with the establishment, expansion, improvement, and maintenance of community education programs), and (2) institutions of higher education to develop and establish, or expand, programs which will train persons to plan and operate community education programs. The proposed regulation would apply to all grant awards made with funds appropriated pursuant to the Community Schools Act, section 405 of Pub. L. 93-380, or with funds made available for expenditure under the Community Schools Act pursuant to the Special Projects Act, as enacted by section 402 of Pub. L. 93-380.

The Commissioner of Education has received a large number of comments regarding the notice of proposed rulemaking under the Community Schools Act. (Approximately 250 separate comments were made on the document in approximately 100 letters or other written communications.)

In addition, the Community Education Advisory Council carried out an intensive review of the proposed regulation and provided its recommendations to the Commissioner in two separate meetings. Oral statements by interested members of the public who attended these Council meetings also responded to the proposed regulation.

All of these comments and recommendations have been carefully reviewed in the context of the provisions of the regulation to which they relate. Summaries of the comments and responses are set forth in the preamble below on a section by section basis. Changes which have been made in the proposed regulation and are reflected in the final regulation in response to the comments are noted. A genuine effort has been made to be fully responsive to the comments, within the constraints of the governing legislation and in keeping with the program purpose as the Commissioner understands it. Significant changes have been made with regard to such matters as program elements, application requirements, and evaluation criteria in response to comments.

Many of the comments included questions regarding program operation or administration or statements regarding program philosophy and concept. The Commissioner has sought to provide additional clarification or interpretation in response to these questions or comments. Prospective applicants and other persons interested in the program are invited to study the preamble carefully, since it is hoped that this material will be helpful in clarifying the regulation.

A. Summary of comments; changes in the regulation. The following comments were submitted to the Commissioner of Education regarding the proposed regulation. After the consideration of each comment, a response is set forth stating changes which have been made in the regulation, or the reasons why no change is deemed necessary. The comments are arranged in order of the sections of the final regulation. Where the section number in the final regulation differs from that in the proposed rule, the proposed section number is also identified.

GENERAL

(1) *Comment.* A number of comments were received relating to drafting, technical questions, presentation, organization, and cross-referencing. Commenters expressed concern about the length and complexity of the regulation and urged clarification, shortening, elimination of guideline material, and inclusion of cross-referenced sections. Others expressed concern at the depth of administrative detail. At the same time, numerous other commenters requested further clarification and amplification, as indicated in the summary of comments.

A significant number of commenters generally supported the regulation, expressed satisfaction that it was clear and understandable, and noted appreciation for the work which had been done.

Response. The Commissioner is well aware of the need to provide regulations which are simple, clear, and as brief as possible consistent with the need to provide a full statement of the rules and requirements to govern program administration.

Because the Community Education Program constitutes a new Federal activity, considerable attention has been given to spelling out its basic concept. The legislation governing rulemaking in the Office of Education requires that all rules, requirements, and standards governing a program be set forth in the FEDERAL REGISTER.

This regulation is designed to collect all such matter in a single, comprehensive document. Limitations in staff size make it important that, to the maximum extent practicable, the program rules be spelled out so as to avoid the necessity of large numbers of *ad hoc* decisions on individual applications. Further, an attempt has been made in the rules to delineate specifically the types of programs which are most likely to be funded so that applicants do not spend valuable time and energy preparing applications which have little chance of support. Some "guideline" type material (in the nature of examples, explanatory material, or recommendations) is contained in the body of the regulation, to assist applicants in complying with requirements.

The regulation contains cross references to such regulations as the OE General Provisions regulation (45 CFR Part 100a), which provides general fiscal and administrative provisions common to all OE programs. This cross-referencing is intended to avoid repeating lengthy fiscal and administrative rules in separate regulations for each of the many programs administered by the Office of Education.

In response to the comments concerning administrative detail and the need for clarification, the provisions concerning application requirements (§§ 160c.14, 160c.15) have been substantially revised and abbreviated. Other sections have been rewritten to eliminate potential sources of confusion (§§ 160c.16–160c.18).

Section 160c.1 SCOPE AND PURPOSE

(2) *Comment.* Several commenters suggested additions to the three stated purposes of the program. One suggested that the purpose section be modified to include community agencies as potential grantees; another recommended that the purpose section include reference to the establishment of community education schools rather than community education programs.

Response. Because the stated purposes of the program are taken directly from the authorizing legislation (Pub. L. 93-380, section 405(b)), it would be inappropriate to attempt to change these purposes by regulation. The comment on including community agencies as grantees is answered in the response to Comment 5 below which pertains to what parties are eligible to receive grants. The reference to "programs" rather than "schools" is also based on the statute, which refers repeatedly to the establishment of community education programs.

(3) *Comment.* Several commenters recommended the addition (to § 160c.1) of a program goal to reduce duplication through such means as a required needs assessment and coordination agreements.

Response. The comments are more pertinent to the sections on criteria and application requirements than to the definition of program purpose and have been taken into account in changes made in these sections (see §§ 160c.14(d) and (e); 160c.15(d) and (e); 160c.17(d)(2) and (3); 160c.18(d), (e)(3)).

(4) *Comment.* One comment suggested the inclusion of "grounds" and "equipment" as part of the "facilities" for which more efficient use is encouraged (§ 160c.1(b)(2)).

Response. Equipment is already mentioned in the regulation (§ 160c.1(b)(2)). "Grounds" would be included under the term "public facility." No change is deemed necessary.

Section 100c.2 DEFINITIONS—"LOCAL EDUCATIONAL AGENCY"—SCOPE OF TERM.

(5) *Comment.* A significant number of commenters questioned the failure of the proposed rule to include community colleges in the definition of "local educational agency" so as to render such institutions generally eligible for direct assistance under the Act. One commenter pointed to the definition of local educational agency in the regulations under the Vocational Education Act published in 40 FR 8070 February 26, 1975), which includes community and junior colleges. Other commenters suggested the term should generally be broadened to include community agencies and organizations, and that such organizations and agencies should be eligible along with LEAs and SEAs. A number of commenters urged provision for the inclusion of any public agency having administrative responsibility for community education. These commenters generally urged that failure to make these changes would result in the exclusion of many local programs from participation in the benefits of the Act.

Response—(a) *Definition of term "LEA" in regulation.* The Community Schools Act makes State educational agencies and local educational agencies eligible for assistance for carrying out nontraining grants (Pub. L. 93-380, section 405(d)). The term "local educational agency" is not defined in the Act. However, the term "local educational agency" is defined in numerous other statutes relating to aid to education, including the Elementary and Secondary Education Act (20 U.S.C. 801(f)). It is this definition which has been incorporated into the proposed rule. The inference drawn is that, in the absence of a special definition departing from that normally used, Congress intended the term "local educational agency" to carry the meaning normally ascribed to that term in other education aid statutes.

Indeed, when Congress has intended generally to include other public agencies in the definition of "local educational agency," it has done so specifically in a particularized statutory definition, as in the case of the Vocational Education Act, section 108(9) (20 U.S.C. 1248 (9)) (upon which the definition cited by the commenter is based) which expressly includes within its definition of "local educational agency" any "public educational institution or agency having administrative control and direction of a vocational education program."

The House bill included its version of the Community Schools Act as part of the Elementary and Secondary Education Act and thus would have made the term "local educational agency" subject to the standard definition in section 801 (f) of the ESEA, which is identical with the definition used in the regulation. (H.R. Rept. No. 93-805, at 149-51, 155 (1974)). Nothing in the Senate Report or the Conference Report in any way indicates that this clear expression of the House intent was to be altered. (Sen. Rep. No. 93-1026, at 174 (1974)). The latter report speaks of "LEA" as essentially coextensive with "school district." Further, the Senate bill would have added to the General Education Provisions Act (GEPA) a new section 400(b)(15), which would have defined "unless otherwise specified" the term "local educational agency" for any "applicable statute" in a manner similar to that in section 801(f) of the ESEA. The Senate version of the Community Schools Act used the term "LEA" but did not "otherwise specify" a definition. (Sen. Rept. 93-763, at 253-55 (1974); H.R. 69, 93rd Congress, 2d session (as passed by Senate 5/20/74; pp. 295-99; 343-47 (5/20/74). In essence, both the House and Senate bills were in accord on the definition of "LEA," and the regulation comports with this history.

Based on the above described statutory provisions and legislative history, it appears that the definition of "local educational agency" included in the regulation (§ 100c.2) is mandated by the law and cannot be altered.

(b) *Scope of the definition.* While the definition in the regulation has not been changed, a separate question may arise as to the nature of particular agencies which may fall within the definition of "local educational agency" included in the regulation. In response to the substantial volume of comments regarding the issue of eligibility under the definition of "LEA," it seems appropriate in the preamble to address this issue. The definition in § 100c.2 includes any "public authority legally constituted within a State * * * to perform a service function for * * * public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State * * *" (§ 100c.2) (emphasis added). Agencies falling within the scope of this definition will be recognized as eligible applicants. The regulatory and statutory elements include (1) status as a public authority; (2) legal mandate or authority under State law to perform the service function specified in the regulation; and (3) the existing or prospective performance of the service function for public elementary and secondary schools.

For the purposes of the Act, a public authority would, for example, be eligible if it were authorized pursuant to State law to carry out and were carrying out (or proposed to carry out) a community education program (meeting the minimum elements set forth in § 100c.3(e)) in a public elementary or secondary school facility. It would not be necessary that the public authority have the sole or primary purpose of providing a service function for public elementary or secondary schools, so long as the public authority had the legal authority to perform such a service function. (Documentation with respect to the status of an agency under State law as a "public authority" and as to its authority to perform a service function for public elementary or secondary schools could be provided through submission of an opinion of counsel or other appropriate legal opinion.)

In summary, while the definition of "LEA" is retained in § 100c.2, agencies which come within the "service function" provision of the definition, as described above, will be recognized as eligible for grants to establish, expand, improve, or maintain community education programs under this regulation. A public community college or public agency administering a school-based community education program would be eligible if it satisfied the elements of that provision. The overall approach implements Congressional intent that grants be made to "local educational agencies" and interprets that term to provide for "the maximum flexibility and efficiency in the organization of programs," as contemplated by the Congress (remarks of Senator Moore, Cong. Rec. 7046 (daily ed., April 7, 1965)).

Section 100c.2 DEFINITIONS—"LOCAL EDUCATIONAL AGENCY" — INTERMEDIATE SCHOOL DISTRICTS.

(6) *Comment.* One commenter stressed the need to include intermediate school districts among the eligible parties. Another commenter read into the regulation an intent that multi-district cooperatives in which one of the districts was the fiscal agent might not apply.

Response. The definition of "local educational agency" as used in the regulation (§ 100c.2) includes "any public authority legally constituted within a State * * * to perform a service function for public elementary or secondary schools * * *." It also includes a "combination of school districts * * * as are recognized in a State as an administrative agency for its public elementary or secondary schools." Intermediate school districts or multi-district cooperatives are thus included within the definition. See also 45 CFR 100a.19 (relating to cooperative arrangements) which is applicable to the Community Schools Program under § 100c.1(c) of the regulation.

Section 100c.2 DEFINITIONS—"LOCAL EDUCATIONAL AGENCY"—SCHOOLS SERVING INDIAN CHILDREN.

(7) *Comment.* Several commenters questioned the exclusion of schools operated by the Bureau of Indian Affairs or by nonprofit organizations of Indian tribes from the term "local educational agency" and from eligibility to apply for funds to plan, establish, expand, or maintain local community education programs. A commenter questioned whether the term "State" could be expanded to include Indian reservations.

Response. Both the Community Schools Act and the regulations thereunder provide for grants to local educational agencies, including LEAs which serve Indian children. As indicated in the response to comment 5, the definition of "local educational agency" set forth in § 100c.2 of the regulation is based upon statutory language; the issue which has been given consideration by the Commissioner (in response to comments and requests by the Community Education Advisory Council) is whether BIA and/or Indian controlled schools are within the statutory definition.

In other statutes, where the same problem has arisen, Congress has specifically elected to include special provisions designed to establish the eligibility of BIA and Indian controlled schools. Title VII of the ESEA (the Bilingual Education Act) is an example. That statute, like the Community Schools Act, makes "local educational agencies" (as defined in 20 U.S.C. 881(f)) eligible. In 1970, Congress added to that Act a new § 706 providing that a nonprofit organization of an Indian tribe operating a predominantly Indian school could be considered a "local educational agency" and providing for payments to the Department of the Interior for programs in BIA schools. The legislative history of Pub. L. 91-230 indicated an intent by this language to include both types of schools and certainly indicates the understanding of the Congress that the term "local educational agency" would not, without more specific language, "include such schools. (Sen. Rept. No. 91-634, 91st Con. 2nd Sess. 57-58 (1970)). Similarly, the Indian Elementary and Secondary School Assistance Act, title III of Pub. L. 81-874, added by title IV-A of Pub. L. 93-318, which provides for grants to LEAs, contains special provisions for so-called non-local educational agencies (section 303(b)) (Indian controlled schools). This history seems persuasive that Congress does not intend the term "local educational agency" to include Indian tribal schools or the BIA since such entities are expressly included in pertinent legislation where they are intended to be covered. A change in the regulation does not appear to be authorized, absent a change in governing legislation.

Since the Department strongly believes that the benefits of community education should be extended generally to schools serving Indian children and that such schools should be covered by the Act, it will take steps toward achieving these objectives by seeking appropriate legislation. Current programs of the Department, it should be noted, serve some of the goals of community education for Indian schools by strengthening community involvement in the operation of schools for Indian children. For example, under section 303(b) of the Indian Elementary and Secondary School Assistance Act, funds are provided to assist in the establishment of Indian community run schools (on or near reservations) which are not local educational agencies but are operated by Indian tribal or community organizations. 45 CFR 186.22. (As indicated above, public schools which serve Indian children and are operated by local educational agencies are eligible for participation in the program under the Community Schools Act.)

Similarly, the term "State," which is not defined in the Community Schools Act or the Special Projects Act, is defined in various other aid to education programs in a manner consistent with that used in § 160c.2 of the proposed regulation (see particularly the definition in title VIII of the ESEA). The term has not been defined in these statutes to include Indian reservations, and this usage has been followed in the instant regulation.

Section 160c.3 DEFINITIONS—COMMUNITY COLLEGES.

(8) *Comment.* One commenter requested that a definition be added for community colleges.

Response. A "community college" is a type of institution of higher education, a definition of which has been set forth in full in the final regulation. To specify a separate definition for "community colleges" might be restrictive and might, therefore, unnecessarily limit the role assigned to community colleges. No change is deemed appropriate.

Section 160c.3 DEFINITIONS—"PROGRAM ACTIVITIES AND SERVICES."

(9) *Comment.* Some commenters thought that this definition was intended to limit the activities which may be included, rather than to suggest examples of those services and activities which may be included. Some commenters requested additions to the definition, such as specific mention of the aged, rehabilitation services for those who have been in criminal or juvenile justice systems, programs on public health and the environment, and the like.

Response. The statement of program services and activities was meant to suggest examples of types of activities which may be included. It was in no way intended to limit the possible activities and services which might be carried out under a community education program. Clarification of this point has been made in the final regulation, and mention has been made of additional suggested activities for illustrative purposes.

Section 160c.3 DEFINITIONS—"PUBLIC FACILITY".

(10) *Comments.* It was suggested by one commenter that the definition for the term "public facility" should express the requirement that the facility be open to all members of the community regardless of age, sex, race, religion, or ethnic origin. Further, it was suggested that a "public facility" expressly include a facility under the control of a branch of government.

Response. The access of all segments of a community to a community education program would appear to be addressed by § 160c.3(c) (3), (4), and (5). In addition, all U.S. Office of Education programs are subject to provisions of Title VI of the Civil Rights Act and Title IX of Pub. L. 92-318 which preclude discrimination under such programs on the basis of sex, race, color, or national origin. (See 45 CFR Parts 80, 86). To change the definition of "public facility" to include a facility under the control of a branch of government would make it possible for grantees to obtain buildings not publicly owned through rental or otherwise to serve as the center for the community school program. The suggested change might therefore dilute the statutory purpose of making more efficient use of public education facilities which are not being fully utilized. The definition of "public facility" as a facility owned by a branch of government appears to carry out the legislative intent and is therefore retained. It should be noted that the regulation does not preclude the use of facilities which are not publicly owned as satellite or mobile facilities related to the community center (§ 160c.3(c)(3)(ii)).

Section 160c.3 ELEMENTS OF A COMMUNITY EDUCATION PROGRAM—PROPOSED PROGRAM ADMINISTRATION.

(11) *Comment.* Section 160c.3(c)(1) of the proposed regulation required that a community education program assisted under the Act "must be administered by a public elementary or secondary school." A substantial number of commenters suggested that this requirement should be relaxed. Certain commenters urged that municipal or other agencies be recognized as possible program administrators and that joint administration of programs by schools and other relevant local organizations be encouraged. Others pointed to provisions for program services in public facilities operated by other than public schools (§ 160c.3(c)(3)) and suggested that the agency responsible for the facility used should administer the community education program. Some commenters recommended recognition be given to the possibility of administration by a community or junior college. Others generally noted the need for continued cooperation between park and recreation agencies and schools.

Response. In response to these comments, § 160c.3(c)(1) of the regulation has been revised. No particular form of administration will be required, as long as the school is genuinely involved in the administration of the program. The regulation, as altered, requires that the administration of the program be school centered, in the sense that the school must be directly and substantially involved in the administration and operation of the program. The means by which this takes place will vary from school to school and program to program. Thus, for an example, the element may be satisfied by arrangements where the program is administered by the school; or by a committee in which the school administrator participates; or through a professional who is in continuing consultation with the school administrator; or by a consortium of agencies in which the school has a major voice. A community education program in which the role of the school is confined solely to making its facilities available and in the administration or operation of which the school as a school plays no genuine role is not, in the view of the Commissioner, a community education program within the meaning of the law. (S. Rep. No. 763, 93rd Cong. 2nd. Sess. 72-73 (1974)).

Section 160c.3(c)(2) COMMUNITY SERVED.

(12) *Comment.* In listing the elements of a community education program, § 160c.3(c)(2) contemplates that the program serve "an identified community which is at least coextensive with the school attendance area for the regular instructional program of the school involved in administering the program, ex-

cept where special circumstances warrant the identification of a smaller community." One commenter urged that the words "or larger" be added after "smaller." The purpose of the change would be to recognize community education programs which serve a larger "community" than that of the school attendance area of the school (for example, an entire school district).

Response. The use of the words "at least" in the proposed rule denotes that a larger community than the school attendance area may be served. The commenter's point appears to be reflected in the regulation already.

Section 100c.3(c)(3) PUBLIC FACILITY AS A COMMUNITY CENTER.

(13) *Comment.* Section 100c.3(c)(3) of the proposed rule required that program services to the community be sufficiently concentrated in a public facility to constitute the facility as a community center. A commenter requested that community recreation or park centers be added to the illustrative list of possible public facilities which might be used as community centers.

Response. The suggested change has been made to the language of § 100c.3(c)(3).

Section 100c.3(c)(4) SCOPE OF ACTIVITIES AND SERVICES.

(14) *Comment.* A commenter suggested greater specificity regarding the actual extent of services beyond the K-12 level required in a community education program. The commenter was concerned that a program limited to one activity (such as recreation or adult education) would qualify as a community education program.

Response. While proposed § 100c.3(c)(4) and (7) related to the comprehensiveness of services in a community education program and would therefore seem to have addressed the commenter's concerns, § 100c.3(c)(3) and (4) has been amended to further express the commenter's point that program services should not be confined to a single or limited number of areas.

(15) *Comment.* Proposed § 100c.3(c)(4) called for extension of activities and services offered by a community education program in terms of scope and nature of program services, target population, and hours of service. One commenter urged that the regulation should express the principle that community education is not merely an "add on" to the regular K-12 program and that the regular educational program is part of the totality of community education.

Response. The Commissioner agrees with the commenter that community education should not be regarded as an "add on" to the regular school program but as an integral part of a total school program. The community education program services and the regular education instructional program should be mutually reinforcing. A clarifying change has been made in § 100c.3(c)(4) in this regard, and provisions of the funding criteria relating to school involvement have been retained and sharpened (see §§ 100c.17(d)(1) and 100c.18(d)(1)).

Section 100c.3(c)(5) COMMUNITY NEEDS.

(16) *Comment.* Section 100c.3(c)(5) of the proposed rule related to systematic procedures for identifying and responding to community needs. A commenter suggested that the statement on community needs should urge local educational agencies developing programs to utilize, wherever possible, the data on needs already available from public and private agencies. Another commenter requested that the statement in the proposed regulation be expanded by adding that a needs assessment must include a supporting statement from all other concerned community service agencies.

Response. Conservation of effort and energy in the assessment of needs by using existing data where feasible seems to make very good administrative sense. The Commissioner anticipates that local programs will observe this sensible practice as a matter of course and believes that § 100c.3(c)(5) need not mandate it.

Section 100c.3(c)(6) COMMUNITY RESOURCES.

(17) *Comment.* Section 100c.3(c)(6) of the proposed rule provided that a community education program must "provide for the identification and utilization of educational, cultural, recreational, and other existing and planned resources outside of the community education program."

A commenter urged that, while the proposed rule mandated the use of existing resources, close scrutiny of applications would be necessary to avoid duplication of resources. Another commenter suggested that the utilization of resources be strengthened by adding the language "to the fullest extent possible" after "utilization."

Response. The language suggested by the commenter has been added to § 100c.3(c)(6). To address further the important concern raised by these comments, additional amendments were made to § 100c.3(c)(6) and to other portions of the regulation, in accordance with congressional intent to encourage the use of existing resources to the fullest extent, and avoid duplication of services and resources. In particular, use of existing resources and avoidance of duplication have been emphasized as important factors in proposal review (see §§ 100c.12(d)(3) and (4); 100c.17(d)(3); 100c.18(d)(3)).

The required review by the SEA will provide opportunities for comment on individual applications, including opportunities for comment regarding duplication of services, activities, or resources.

Section 100c.3(c)(7) PROGRAM CLIENTS.

(18) *Comments.* Section 100c.3(c)(7) of the proposed regulation required that a community education program have the "potential" to accommodate a broad range of clients. A commenter noted that the use of the word "potential" is unclear. Another commenter observed that the statement concerning the clients of a community education program emphasizes individuals who may already be served and thus the program would lead to duplication of existing resources.

The commenter suggested that the regulation might instead encourage community education programs to accommodate such individuals as young persons who have been in jails, detention homes, training schools, hospitals, or whose parents are in jails or hospitals. The commenter urged that applicants, in developing programs for Federal grants, should think in broad, socially encompassing terms by means of which a community can learn to assume responsibility for its members.

Response. The statement concerning clients of program services and activities was not intended to be limiting. The statement merely attempted to delineate some possible types of target groups or clients without meaning to exclude others. The Commissioner agrees with the above comments and encourages greatness to give the fullest consideration to persons who could be most assisted, particularly those who currently may not be served by traditional or existing community agencies.

For clarification, the words "have the potential for accommodating" in § 100c.3(c)(7) have been replaced by "be designed to serve" to convey that, while programs may not now serve all persons in a community or all possible target groups, they at least be designed to provide services on a broad basis. In addition, language has been added to reflect the comment with regard to groups not adequately served. The evaluation criteria have also been amended to reflect these concerns (§ 100c.17(d)(2)).

Section 100c.3(c)(8) COMMUNITY PARTICIPATION.

(19) *Comment.* One commenter requested that provision be made for a community advisory council in this section or in § 100c.12 of the proposed rule regarding application requirements and that the term be defined. Other commenters urged a requirement for broad participation in planning and coordination by representatives of agencies providing services offered by the program. Other commenters recommended that such participation be on a policy-making rather than advisory basis.

Response. Section 100c.3(c)(8) of the regulation provides that active and continuous community participation must be one element of a community education program under the Act. Section 100c.12(a)(8) of the proposed rule would require an application under the Act to provide documentation of community involvement in the preparation of the application. These provisions have been retained in the final regulation (see §§ 100c.3(c)(8); 100c.14(e); 100c.18(a)). In addition, the criteria for evaluation of applications include community participation as an important factor in evaluation (§§ 100c.17(d)(4); 100c.18(d)(4)).

The formation and operation of an advisory council would be one method for

meeting these standards. However, neither the proposed rule nor the final rule mandates an advisory council either at the program level or the applicant level as the exclusive means of responding to these requirements or criteria. To prescribe a council or other mechanism might limit or discourage the use of other and possibly more appropriate means for ensuring community participation as well as coordination and consultation. The Commissioner believes that in this regard the precise means of implementing the principles stated in the regulation should be left to local option. At the same time, it should be emphasized that the presence of a strong and viable element of community participation in each affected community education program and in the development of the project will be important in the evaluation of an application.

Community participation must be on an advisory basis since ultimate responsibility for operation of a program or project must be in the administering agency (see 45 CFR 100a.18(a)).

Section 100c.4 LIMITATION ON NUMBER OF APPLICATIONS.

(20) *Comment.* One commenter noted that the requirement that a State educational agency file a separate application for each pilot local community education project which the State intends to administer directly would be an unnecessary burden and that this arrangement implied that States were unable to administer and evaluate local programs of their own choosing.

Response. The final regulation requires that State educational agencies prepare two applications, if they are applying for both developmental and technical assistance funds and to administer local programs directly. One application would pertain to the proposal for developmental and technical assistance. The second application would relate to those local programs which the State will administer directly.

This is required so that each type of application by a State educational agency can be reviewed and evaluated in its own category (developmental or technical assistance or direct administration of a local program. (See §§100c.17 and 100c.18.) The regulation makes no implication that States are unable to administer local programs. The legislation does not permit funds to be made available to States for subgrants to the local programs (see comments 23 and 35 for rationale).

Section 100c.5 DURATION OF PROJECT.

(21) *Comment.* One commenter noted that the lead time to establish a local community education program may be up to six months. The same conditions may be true for colleges and universities developing training programs. The commenter believed that the benefit of comprehensive educational planning and citizen involvement, the essence of the process, would be lost with a one year grant.

Another commenter requested that initial grants for new programs be made for up to three years, subject to annual review. This commenter felt that a one year grant may be an insufficient period to acquire and train an individual to direct the program; personnel would also spend time preparing annual applications rather than on program administration.

Another commenter suggested a sliding scale of support over a maximum of three years.

Response. Provisions in the proposed rule for a one year grant period were based on the need to make best use of limited Federal funds. While a project may continue to receive Federal support in fiscal years succeeding the initial fiscal year, it would do so only if it successfully competed with applications for initial year assistance. Thus, maximum opportunity is provided for a wide distribution of assistance to community education programs.

Since the statute already provides a sliding scale of Federal support (80 percent for a new program, 65 percent for expansion or improvement, 55 percent for expansion for each additional year, and 40 percent to maintain existing programs) (§ 160c.19), the Commissioner cannot develop an additional and different sliding scale in the regulation.

Section 100c.9 ELIGIBILITY—JOINT APPLICATIONS (§ 100C.7 IN THE PROPOSED REGULATION).

(22) *Comment.* One commenter questioned whether joint applications by two or more LEAs will be entertained. Another commenter questioned whether a consortium of State educational agencies would be eligible.

Another comment related to the case of a joint application submitted by an LEA/SEA. The commenter asked if one of the two parties' components of a joint application is of insufficient quality to be funded, the other party's position would be jeopardized.

Response. Joint applications by eligible parties (including LEAs) are authorized under § 100a.19 of Title 45 CFR, made applicable to the program by § 100c.1(c). A consortium of State educational agencies carrying out an appropriate project under the Act could apply for assistance under a joint application. The evaluation of a joint project would depend on the nature of the particular project submitted. It is anticipated that in selecting projects for funding, the Commissioner will evaluate each project in its totality. It would not be administratively feasible in ranking applications to rank separately each component of an application.

Section 100c.9 ELIGIBILITY—ELIGIBLE PARTIES (§ 100C.7 IN THE PROPOSED REGULATION).

(23) *Comment.* Numerous comments were received concerning those groups which could apply directly and receive Federal funds under this Act, including many urging that community or junior colleges, municipal agencies, local governments, nonprofit organizations, and other interested groups be eligible.

Response. (See response under comment 5).

Section 100c.9 ELIGIBILITY—COORDINATION AND NONDUPLICATION (§ 100c.7 in the proposed regulation).

(24) *Comment.* One commenter, while noting various provisions for cooperation among public agencies involved in community [illegible], such as local educational [illegible] and local parks and recreation [illegible], suggested that these provisions [illegible] be strengthened by the addition of language, in § 100c.9 (§ 100c.7 of the [illegible]posed rule relating to eligibility), requiring projects involving disciplines other than education to be approved by the director of the appropriate governmental agency charged with the responsibility for providing the services. Presumably, adoption of this provision would require a "sign-off" by each of the municipal or local agencies involved in providing the services as well as the applicant LEA.

Other commenters urged that the problem of avoiding duplication and insuring coordination among groups or organizations involved in community education be handled through the establishment of a formal advisory council at the school district level.

Response. As indicated above, § 100c.7 reflects the statutory provision providing that LEAs are eligible parties. A provision requiring the assent of an agency other that the LEA as a condition to the submission by the LEA of an application under the Act would raise questions under this statutory framework (General Education Provisions Act, section 421A (c)). On the other hand, provisions calling for coordination among relevant agencies and provisions aimed at preventing duplication of services are within the ambit of the program. These were contained in the proposed rule. See, for example, § 100c.3(c) of the proposed rule (identification and use of resources outside the school); § 100c.3(c) (8) (participation of community groups, including social, recreational, and health groups, in planning and carrying out the program); § 100c.13(a) (6) (documentation of this involvement). These provisions have been retained. The suggestion for an LEA-level mandated advisory council has not been adopted (see response to comments 17 and 19).

Section 100c.10 SCOPE OF FEDERALLY-ASSISTED PROJECTS (§ 100.8 IN THE PROPOSED REGULATION).

(25) *Comment.* One commenter, noting § 100.8 (c) and (d) of the proposed rule relating to costs of allowable activities (§ 100c.10 (c) and (d) in the final rule), referred to the need for assistance in disseminating information to the public. The commenter recognized that proposed § 100c.8(c) specifically referred to costs of "dissemination of information to the community" and would make such costs allowable. The commenter urged that the section be expanded to specify the particular dissemination costs actually allowable. The commenter also requested clarification regarding the procedures which an individual community school should follow in applying for assistance.

Response. Since the provisions in § 100c.10(a) of the final rule appropriately spell out the activities for which reimbursement will be made, including dissemination of information, there would appear to be no need for further detailed allowable cost breakdowns for each activity. These are already covered in that the program is subject to the General Provisions regulations for OE programs (45 CFR Part 100a) which include general principles for determining costs for all activities (see § 100c.1(e); 45 CFR Part 100a, Appendix B). Application of these principles should provide adequate guidance.

With regard to procedures for securing assistance under this regulation, both the proposed rule and the final rule make clear that assistance can be made available only to those parties eligible as LEAs (§ 100c.9). An individual community school must, to the extent it takes initiative, work through its LEA in the formulation of an application. Specific application procedures will be available once application forms and packages are completed. These will be available to all interested parties requesting them from the Office of Education.

(29) *Comment.* Several commenters questioned whether custodial fees, utility fees, and rent for the operation of an extended hours program are intended to be allowable under the regulation.

A question was also raised by a commenter with respect to the meaning of the phrase "instructional staff for the program and program participants" as used in § 100c.9(c) of the proposed rule.

Response. Section 100c.10(c) (§ 100c.8 (c) in the proposed rule, costs generally allowable) is intended to cover leadership, coordinating, and administrative costs relating to the provision of community education services. The regulation is not intended to make generally allowable other custodial or utility fees for extended hours programs.

The term "instructional staff for program and program participants" is used in the context of recruitment costs for this staff but not the cost of the services of the staff. Thus, if a program needs a particular dance instructor to conduct a modern dance program, under § 100c.10(c), costs incidental to recruitment of such instructor, but not the salary of the instructor, would be generally allowable. Costs for "instructor salary" may be allowed in the exceptional circumstances referred to in § 100c.10(d), and when specifically authorized in the grant award document.

(27) *Comment.* One commenter suggested that the regulation should provide for the total funding of community education programs in low income and "ghetto" communities.

Response. The comment is taken to mean that all costs of a community education program (not merely those specified in § 100c.10(a)) be covered by a grant under the Act for community education programs in low-income areas. It should be noted that § 100c.10(d) (§ 100c.8(d) in the proposed rule) does permit, to a very limited degree, the grant to cover certain costs in "exceptional circumstances" as specified therein. Moreover, program funds expected to be available simply could not accommodate the commenter's suggestion. It should also be noted that although the House bill had provided that applications for community education programs in economically depressed areas would not be subject to the statutory matching requirement, this provision was not included in the Act.

(28) *Comment.* One commenter asked whether remuneration for community members engaged in planning a community education program is an allowable cost under § 100c.10(c) (1) (§ 100c.8 (c) (1) in the proposed rule).

Response. The regulation provides for reimbursement of out-of-pocket or administrative expenditures incurred in establishing, expanding, or maintaining a community education program; these costs would be the administrative costs of planning and coordination, such as salaries of administrative staff, printing, transportation, and so forth. The costs of regular instructors, course materials, or other expenses resulting from the direct provision of services would not be allowed. Thus, insofar as community members are hired as regular full- or part-time administrative staff for the community education program, their salaries would be allowable costs. In those instances where citizens are not regular staff, but simply representing the community viewpoint, through, for example, participating in a council or citizen survey, no provision is made for reimbursements. The final regulation clarifies this point in § 100c.10(c).

(29) *Comment.* One commenter questioned whether the term "staff" as used in § 100c.10(c) (1) (§ 100c.8(c) (1) in the proposed rule) included both certificated and non-certificated personnel, and clerical as well as instructional personnel.

Response. The regulations do not limit staff to certified or professional personnel. It is anticipated that personnel with many types of backgrounds, experiences, and training will be a part of the community education staffs, and that different types of personnel will be required in different settings.

(30) *Comment.* One commenter recommended that survey work, establishing interagency coordination, identifying resources, and other planning functions be allowable costs under a local educational agency grant as a "planning grant."

Response. The statute authorizes grants for "planning, establishing, expanding, and maintaining" community education programs. Planning grants as such would not appear to be authorized, since the statute designates Federal shares only for establishing, expanding or improving, and maintaining programs. It would appear, however, that the costs of coordination, resource identification, and other planning activities are allowable insofar as these activities are required to establish, maintain, or expand community education programs.

Section 100c.10(e) COSTS AT AGENCY AND SCHOOL LEVELS (§ 100c.8(e) IN THE PROPOSED REGULATION).

(31) *Comment.* One commenter, noting that funds can be utilized to pay administrative costs at the school or local educational agency level, observed that emphasis on hiring an individual to coordinate the use of facilities at the school level is currently a responsibility of many vice principals within existing systems. The Office of Education would, therefore, be adding administrative layers, rather than funding programming costs.

Response. The proposed regulation emphasized the funding of administrative rather than programmatic costs because the purpose of the legislation is to encourage the better use and coordination of existing resources and to pay the administrative costs of planning, expanding, and supporting this coordination. The Commissioner does not understand the purpose of the legislation to be the displacement of other funding of recreational, cultural, or educational programs (section 405(c), Pub. L. 92-318) and assumes that the funding for those programmatic costs will continue to be met by other sources.

Section 100c.11 STATE EDUCATIONAL AGENCY PROJECTS (§ 100c.9 OF THE PROPOSED REGULATION).

(32) *Comment.* Several commenters suggested that the funds for grants to State educational agencies for approved programs be allotted and administered pursuant to a State plan developed by each State. One commenter pointed to the precedent of title III of the Elementary and Secondary Education Act (ESEA) in which up to 85 percent of the funds are available on a State plan/State-administered basis. Another commenter urged that some sort of fixed allotment formula ought to operate allowing sufficient funds for all small States.

Response. The Commissioner of Education is committed to the proper and efficient administration of Federal aid to education programs on a formula grant, State plan/State-administered basis when authorized by law. The statute (section 405(d)(1)) provides for direct grants by the Commissioner both to SEAs and LEAs. No provision is made for a formula or a State plan. No "pass through" of funds from SEA to LEA is authorized. On the other hand, title III of the ESEA, mentioned by the commenter, provides expressly for a State plan 20 U.S.C. 844a); State approval of LEA grants (20 U.S.C. 844); and a formula for distribution of funds (20 U.S.C. 841).

The legislative history of the Community Schools Act indicates that Congress considered and rejected a State plan/State formula approach. The House bill clearly involved such an approach. (H.R. Rept. No. 93-806, 93rd Cong. 2d. Sess. 50-51, 149-154 (1974)). The compromise worked out in conference called for distribution of funds among State educational agencies and local educa-

tional agencies on a 50/50 basis but contained none of the State plan/State formula provisions of the House bill (Sen. Rept. No. 93-1026, 93rd Cong. 2d Sess. 174 (1974)).

Within the constraints of the Act, § 160c.11(a)(2) of the regulation does provide for meaningful Statewide programs to be administered by SEA grantees in providing technical and developmental assistance to LEAs.

(33) *Comment.* One commenter, in noting the provisions for eligibility of SEAs to receive grants for technical and developmental assistance, urged that steps be taken to preclude duplication by SEA grantees in carrying out functions or performing services already made available by other State agencies (such as those responsible for recreation, community affairs, or the like).

Response. Duplication of developmental and technical assistance services provided by State agencies to discrete community education programs (under § 160c.11(a)(2) of the regulation) is, of course, to be avoided both in the approval of applications and in the administration of approved grants. Sen. Rept. supra at 73; House Rept. supra at 52.

In the criteria for funding, rating points are given to reflect the degree to which the SEA has established machinery to assure coordination of its community education activities with other appropriate agencies (§ 160c.18(d)(3)). An application must document involvement of appropriate groups in the preparation of the application, a requirement which should help avoid duplication of services and activities available in the served community (§ 160c.15(e)).

(34) *Comment.* One commenter questioned whether State departments of education can directly operate a community school program or only in States with direct responsibility for operating public schools such as Hawaii and Alaska. The commenter asked whether a State correctional institution or State institution for the handicapped would be an example of State operated schools, and therefore be eligible.

Response. A State's authority to operate a local community school program would be determined by the applicable State law. A public agency operating a State school for the handicapped would be an LEA and thus be eligible for funding with respect to community education programs (see the definition of "local educational agency" in § 160c.2).

Section 160c.11(d)(1) SUBGRANT; SERVICE CONTRACTS (§ 160c.9(d)(1) OF THE PROPOSED REGULATION).

(35) *Comment.* Several commenters indicated that the provisions of this paragraph (which do not allow State educational agencies to award subgrants to local educational agencies or to any other entities or individuals) would exclude community colleges, public school districts and, in the case of Massachusetts, elected or appointed agencies, commissions, or councils established and best able to carry out local community education programs in given States.

Response. Subgrants of Federal funds may be made by State educational agencies to local educational agencies and other entities only when they are expressly authorized by statute, as under titles I and IV of the Elementary and Secondary Education Act. Subgrants are not authorized by the Community Schools Act.

Public entities such as community colleges, public school districts, and other commissions or councils may receive direct grants from the Commissioner if they come within the definition of local educational agency in § 160c.2 (see response to comment 32).

(36) *Comment.* Commenters requested that the section allowing contracts with local educational agencies or other entities or individuals to secure services which will assist in carrying out a local community education program be expanded to name specifically local parks and recreation agencies and other agencies providing services as a part of the community education program.

Response. The regulation provides for service contracts without limiting the entities with which a grantee may contract. The addition of examples of specific contractors might imply an intent to exclude categories not so specified. No change is deemed appropriate.

Section 160c.12 PREAPPLICATIONS (§ 160c.10 IN THE PROPOSED REGULATION).

(37) *Comment.* One commenter inquired as to whether use of preapplications was mandatory.

Response. The regulation authorizes, but does not require, the Commissioner to use preapplications. A decision as to whether or not to invite preapplications has not yet been made. When made, it will be communicated through the formulation of a notice of closing date published in the FEDERAL REGISTER.

(38) *Comment.* One commenter asked for further clarification as to how preapplications will be evaluated under § 160c.12(b)(3), and the procedures for submitting preapplications.

Response. The standards for evaluation of preapplications are set forth in § 160c.12 of the final rule. No decision has yet been made with respect to whether preapplications, if they are requested, will be evaluated by field readers, panels of evaluators, or other methods. The time and place for submission of preapplications will be announced when and if preapplications are invited.

(39) *Comment.* Another commenter urged that the State educational agency be excluded from the review of the preapplication.

Response. Since one of the primary purposes of the Community Schools Act is to promote coordination and better use of facilities and resources, it would be counterproductive to exclude States from the review of the preapplications at a point at which there is still opportunity to develop mutually useful cooperative agreements. Preapplication review also gives States an opportunity to identify interested LEAs and to provide technical assistance to those desiring it.

(40) *Comment.* One commenter, referring to proposed § 160c.10(b)(4)(i) (§ 160c.12(b)(4)(i) in the final rule), expressed concern that the SEAs, while able to review the initial preapplication, would not have "input" into later negotiations regarding changes in the application and would thus be hampered in making plans and arrangements for technical assistance.

Response. The comments provided by the SEA concerning the initial preapplication (if preapplications are used) should provide a basis for OE review of preapplications. The State will also be involved in the review of applications (under § 160c.13).

Section 160c.13 STATE REVIEW OF LOCAL EDUCATIONAL AGENCY APPLICATIONS (§ 160c.11 OF THE PROPOSED REGULATION).

(41) *Comment.* Several commenters urged that State review of LEA applications be conducted by State agencies in addition to the SEA, such as a State department of community affairs or State department of recreation and conservation, or other organizations which are concerned with matters or disciplines relevant to community education.

Other commenters requested that the regulations set forth the make-up of a mandated State review committee, including representation of different disciplines, and that the application review should be performed in conjunction with a State community education advisory council.

Response. Section 406(d)(4) of the Act provides that "the Commissioner shall not approve an application submitted by a local educational agency unless the State educational agency of the State in which the local educational agency is located has been given an opportunity to review, and make comment on, such application" (20 U.S.C. 1864(d)(4)). Accordingly, only SEA review (as provided in § 160c.13) is mandated by the Act. However, it would be sensible to encourage, within the framework of the Act, "input" from State agencies (other than the SEA) in the evaluation of applications, since that would be one factor upon which the interagency participation at the State level would be evaluated (see § 160c.18(d)(3)). Changes have also been made to encourage coordination in State review of applications (§ 160c.13(d)(3) and (4)). However, the Commissioner does not believe that the Office of Education should mandate a particular State review committee or its functions.

(42) *Comment.* The commenter also urged that SEA comments be communicated to the affected LEA.

Response. The communication of State educational agency comments to local educational agencies on their applications should be at the option of the State, rather than mandated by the Commissioner.

(43) *Comment.* Another commenter questioned how OE will verify that a

copy of the application has been sent to the SEA.

Response. Verification will be handled by informal communication between the Office of Education, the LEA, and the SEA.

(44) *Comment.* One commenter asked what influence the State's comments will have on the U.S. Office of Education evaluation of applications.

Response. The State's views will be given full consideration by the Commissioner in reviewing applications in accordance with the requirements and criteria in this regulation. The SEA is not given a veto authority with respect to LEA applications by the statute, but its comments will serve to advise the Commissioner in reviewing applications under this regulation.

Sections 160c.14 and 160c.15 APPLICATION REQUIREMENTS (§ 160C.12 OF THE PROPOSED REGULATION).

(45) *Comments.* A number of commenters observed that the proposed requirement section was overly complex and redundant. Others requested more detailed guidance as to the content of applications. Several comments requested further refinement with regard to specific matters, such as qualifications of staff, the naming of specific agencies to advise in the preparation of applications, and the implementation of programs, and also requested a strengthening of provisions regarding cooperation in the carrying out of programs.

Response. In response to comments, as previously indicated, the proposed application section (which has been broken into two separate sections in the final regulation to distinguish the different types of projects, §§ 160c.14, 160c.15) has been rewritten, shortened, and simplified. A number of detailed requirements have been eliminated (see response to comment 1). The section has been confined to those requirements deemed essential to the operation of the program. Applicants are given more latitude in exercising judgment in preparing applications responsive to the evaluation criteria.

Sections 160c.16–160c.18 CRITERIA FOR EVALUATION OF APPLICATIONS (§ 160C.13 OF THE PROPOSED REGULATION).

(46) *Comment.* A number of commenters urged that the evaluation criteria section of the proposed regulation (§ 160c.13) be revised and clarified. Some commenters requested that the section be more explicit or provide guidance as to what would satisfy different criteria such as "high quality." Several suggested that general criteria in Part 100a of the Code of Federal Regulations be restated in § 160c.13 rather than cross-referenced.

Response. The criteria section has been substantially revised and reorganized, including a division into two separate sections to distinguish the different kinds of projects, in an effort to make this section simpler for potential applicants to understand. The Commissioner has chosen not to add detail to the criteria. The inclusion of some detail as to how a particular criterion might be satisfied may lead an applicant inadvertently to assume that other equally appropriate activities were omitted or ineligible.

To further simplify, selected provisions of § 100a.36(b) of the Code of Federal Regulations have been incorporated into the criteria rather than cross-referenced.

(47) *Comment.* Many commenters believed the point system in the proposed regulation was confusing or unfairly weighted. Some recommended that the number of points be reduced in specific areas, as in the criterion for personnel qualifications and for documentation of the unavailability of other than Federal resources. Many commenters suggested that greater weight be given in specific areas, including responsiveness to local needs; citizen participation; cooperation and coordination; and involvement of community representatives at the local and state level.

Response. As indicated, the criteria section has been substantially revised and a revised system of points has been established in keeping with the thrust of the comments.

(48) *Comment.* One commenter urged that the criterion providing for favorable consideration for those communities with a history of community participation be deleted. The commenter felt such a requirement discriminates against those communities without established programs.

Response. In response to the comment, and to encourage development of community education programs in all types of communities, the criterion has been eliminated.

(49) *Comment.* One commenter inquired about the mechanics of evaluation, the persons responsible, and any appeals procedure.

Response. It is expected that applications will be reviewed by a panel of evaluators in accordance with Department practice.

Only those applications meeting the requirements set forth in the regulation in §§ 160c.14 or 160c.15, as applicable, will be rated and ranked by the panel according to the relevant criteria as stated in the regulation. Highest ranked applicants in their respective categories (LEAs, SEAs, and institutions of higher education) will be selected. As is true in almost every Department discretionary grant program, no explicit appeal procedure related to the award process is provided in the regulation. Although unsuccessful applicants could, of course, informally raise questions or issues concerning their applications, it is not expected that the Office of Education would have sufficient staff to provide a formal appeals procedure on award decisions.

Sections 160c.17 and 160c.18 CRITERIA—EQUITABLE GEOGRAPHIC DISTRIBUTION (§ 160C.6 IN THE PROPOSED REGULATION).

(50) *Comment.* Section 160c.6 of the proposed rule would provide that, in approving applications under Part 160c, the Commissioner will insure an equitable geographic distribution of community education programs throughout the United States in both urban and rural areas. A commenter requested explanation and clarification of these requirements and suggested that the terms urban and rural be defined.

Response. Section 405(h) of the Act specifically requires the Commissioner to insure such equitable geographic distribution. The requirement reflects the nature of the program purpose to foster expansion of community education programs throughout the nation. Sen. Rept. supra at 73, 74. It is, therefore mandatory that equitable geographic distribution be one factor in determining the recipients of assistance grants.

The regulation has been clarified to provide that the distribution factor will be taken into account in the evaluation of applications. Section 160c.6 has therefore been replaced by appropriate provisions in the criteria section. (§§ 160c.17 (e); 160c.18(e)). Definition of the terms "urban" and "rural" by regulation might lead to unnecessary, arbitrary distinctions. The terms can best be applied on an ad hoc basis in light of the particular geographical situation for each application.

Section 160c.30 GRANTS TO INSTITUTIONS OF HIGHER EDUCATION—NATURE OF FEDERAL PROJECTS (§ 160C.16 OF THE PROPOSED REGULATION).

(51) *Comment.* Section 160c.18(a) (§ 160c.30 in the final regulation) provides that grants will be made to "institutions of higher education." One commenter recommended that community colleges be specifically designated as appropriate institutions for training. Another was concerned that community colleges had too little role in the entire program except for training and that, in the latter area, such colleges would not be competitive with four-year colleges.

Response. The proposed regulation reflected the statutory eligibility requirement for training grants; recipients must be institutions of higher education. Community colleges, if they meet the definition of an institution of higher education as defined in § 160c.2, are included. Many community colleges have been leaders in the development of community education programs across the country. Given this expertise, it is believed that such colleges will be competitive with four-year institutions in receiving training grants. Likewise, the purpose of the statute is to develop and expand programs which train persons to plan and operate community education programs. All institutions of higher education will have equal opportunity in competing to develop programs or expand existing ones. No emphasis is being placed or extra priority given to existing training programs.

(52) *Comment.* One commenter noted that projects should include institutions of higher education that provide for the development and establishment of undergraduate and graduate teacher education programs.

Response. The comment is not entirely clear. If the commenter is urging that institutions of higher education with

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teacher education programs be eligible for training grants, the concern is already met by the statute and proposed regulation; the statute makes institutions of higher education the eligible grantees. Eligible institutions that have teacher education programs are included with other institutions of higher education.

If the commenter is recommending that training grants be limited to institutions with teacher education programs of the type described, one purpose of training assistance under Subpart C of the regulation is to build the capacity of institutions of higher education to provide community education training (see § 160c.30(c) in the final rule). Accordingly, the operation of the program should enhance the capacity of institutions generally to provide community education training at various levels. However, to limit training grants to institutions with teacher education programs would not be authorized by the statute.

(53) *Comment.* One commenter recommended that training institutions be required to work with other institutions in the State to avoid duplication and to disseminate information.

Response. Information dissemination by training institutions to other educational institutions, LEAs, SEAs, and the National Clearinghouse was already required under § 160c.17(a)(2)(iii) of the proposed regulation, and the requirement has been retained in the final regulation (§ 160c.31(a)(2)(iii)). To reflect the concern of the commenter that training institutions work with other institutions to avoid duplication and to disseminate information, a criterion has been added to § 160c.35 which would give an applicant additional points for cooperation with other agencies.

(54) *Comment.* One commenter suggested that grantees be required to waive any requirements for a teaching certificate for personnel participating in the local community education program.

Response. Although the Office of Education encourages maximum flexibility in the use of personnel for a community education program, it is believed that the matter of teacher certification and related requirements must be left to local decision.

(55) *Comment.* One commenter requested that the section on training projects explicitly provide for paraprofessional level in-service training programs for those employed in community education.

Response. Section 160c.30(b) (1) and (2) (§ 160c.16(b) (1) and (2) of the proposed rule) states that the purpose of training programs is to train persons planning and operating community education programs in local educational agencies. These persons may be from a variety of backgrounds, including but not limited to, professional educators, recreators, community college officials, parents, paraprofessionals, and community members. This section assumes that different community environments may require different types of qualifications for staff. The program allows for these differences and encourages each community to select and train the most appropriate individuals.

Section 160c.32(c) (recipients of training) states the types of persons who may receive training. The statement includes those individuals mentioned in the comment.

(56) *Comment.* One commenter noted that the types of training available should reflect differences in environments of community schools.

Response. Training is intended and designed to provide individuals with certain types of skills which can be utilized and adopted to each unique, local community. Specifically, training is designed to provide an understanding of the concepts of community education, data collection skills, and community organization and related skills (see §§ 160c.32(b)(1)(i) and 160c.32(b)(1)(iv)) and, therefore, should be able to accommodate the concerns reflected in the comment.

(57) *Comment.* Another commenter suggested that grants be made to universities to employ staff to (1) teach community education courses, (2) work directly with a small number of school districts in the university's "attendance" area to develop community schools, and (3) educate faculty in those schools about community education concepts.

Response. The final regulation would allow hiring staff to teach community education courses as part of a program to train persons in accordance with the requirements of §§ 160c.32–160c.34. Hiring of university staff to provide direct technical assistance to school districts would appear to be beyond the purview of the program. Institutions of higher education are authorized to develop or expand programs to "train persons to plan and operate community education programs," not to plan and operate such programs directly. The Senate Report emphasizes that the purpose of these grants is to establish or expand community education training and to "fill the personnel void which has been created by the vast new interest in community education." (S. Rep. No. 763, 93rd Cong. 2d Sess. 73 (1974)).

(58) *Comment.* One commenter indicated program design and staff training should be preliminary elements in any community education program.

Response. The adequacy of a plan for training project staff is included in the criteria for review of LEA and SEA applications. (§§ 160c.17(b)(4), 160c.18(b)(4)).

(59) *Comment.* Two comments were addressed to the involvement of existing Centers for Community Education in the training program. One noted that the proposed rule seemed directed toward maintaining existing programs such as the "National Center for Community School Education" (an apparent reference to the National Center for Community Education), and urged that other groups be encouraged to participate in training also. The other commenter recommended that all training grants include the involvement of any existing "Community Education College Center" in the State (an apparent reference to Centers for Community Education).

Response. The proposed regulation was not directed toward the funding of any one training institution or the perpetuation of any one approach to training. In fact, there is no statutory basis to require the involvement of a named institution. The statute authorizes projects both to establish and to expand training programs. The regulation does not exclude or give priority to one of these types of projects as opposed to the other.

Section 160c.31 APPLICATION REQUIREMENTS (§ 160c.17 IN THE PROPOSED RULE).

(60) *Comment.* One commenter recommended that institutions submit training proposals to the State agency for community education for comments before filing that application with the Office of Education.

Response. The provisions for SEA review of LEA applications were included in the proposed regulation because of the requirement for such review in the Community Schools Act. There is no such statutory requirement for State review of training proposals, and consequently no regulation to that effect has been provided. It is expected that State agencies and training institutions will informally coordinate their efforts.

(61) *Comment.* Two commenters addressed prior involvement with community education, one recommending that first priority be given to institutions with previous experience with community education, the other suggesting that such involvement be a prerequisite for any funding.

Response. While building the capacity of existing training institutions will be encouraged, the statute does not allow this to be an exclusive priority. It is the intent of the Commissioner to give equal weight to both projects to which establish and to projects which expand programs to train persons to plan and operate community education programs, as the statute requires.

Section 160c.32(b)(2) TRAINING TO LOCAL EDUCATIONAL AGENCIES (§ 160c.18(b)(2) OF THE PROPOSED REGULATION).

(62) *Comment.* Several comments disagreed with the emphasis on short-term training in the proposed regulation. One commenter felt that such training was too costly, not useful, and reflected a lack of knowledge of training goals. Others recommend long-term fellowships and undergraduate and graduate teacher education programs in addition to short-term training. One commenter favored short-term in-service training particularly for paraprofessionals.

Response. The regulation focuses on short-term training at this time in order to use the limited funds available to train the maximum number of people and to have the greatest impact upon community education programs within the authorized life of the Community Schools Act.

Short-term training may be provided to paraprofessionals as well as professionals.

(83) *Comment.* One comment emphasized the need for recreation, community education, health planning, and other social services in training programs. The commenter felt that training programs should not be limited to education.

Response. The entire community education program is predicated on assessment of a community's diverse educational, social, and recreational needs, and on the meeting of these needs through better utilization of school and other public facilities. The need to incorporate many services is reflected in § 160c.1(b)(3) regarding the purpose of the program, § 160c.3(c)(8), dealing with minimum elements, and §§ 160c.16–160c.18, addressing criteria for a community education program. Training in the administration of each aspect of a multi-disciplinary community education program would be an important part of every training grant. No change in the regulation is deemed necessary.

Section 160c.33 TRANSFERS TO SEAS (§ 160c.19 OF THE PROPOSED REGULATION).

(84) *Comment.* One commenter stated that training of State personnel to provide technical assistance to LEAs was impractical given the diversity and number of school districts in the State. The recommendation was made that SEAs evaluate, research, disseminate information, and sponsor short term conferences, and that universities provide technical assistance to those in their attendance areas. Another commenter also recommended that SEAs be responsible for dissemination.

Response. The Community Schools Act provides for the planning, establishing, operation, and expansion of community education programs by SEAs and LEAs. It does not authorize States to perform the research and evaluation functions suggested above, nor does it allow for direct provision of technical assistance to school districts by universities.

The training in technical assistance that will be provided to State agencies, however, should be sufficiently flexible so that State personnel will be able to meet the varied needs of many school districts. Skills such as evaluation, planning, data collection, and needs and resources assessment are transferable from community to community and can be modified to meet individual local needs.

Section 160c.35 CRITERIA (§ 160c.21 OF PROPOSED REGULATIONS).

(85) *Comment.* One commenter suggested that extra points be awarded for cooperative arrangements among institutions of higher education, LEAs and SEAs, beyond that implied in proposed § 160c.21(d) (§ 160c.35 in the final regulation).

Response. An additional criterion has been included in § 160c.35 to emphasize the importance of coordination.

B. *Other changes.* In addition to the changes noted above, a large number of editorial, typographical, technical, and clarifying changes have been made. Further, sections have been added reflecting the provisions for the Community Education Advisory Council (§ 160c.6) the National Clearinghouse, and the availability of technical assistance (§ 160c.7).

C. *Participation of National Advisory Council.* The Community Education Advisory Council has participated fully in the development of the regulation set forth below through discussion, advice, and consideration of the views of interested parties.

After consideration of all comments, Title 45 of the Code of Federal Regulations is amended by adding a new Part 160c to read as set forth below.

D. *Effective date.* Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d)), these regulations were transmitted to the Congress concurrently with the publication of the notice of proposed rulemaking in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions thereof concerning congressional action and adjournment. This final regulation has been retransmitted to the Congress pursuant to section 431(d) in view of the substantive changes made in the regulation.

(Catalog of Federal Domestic Assistance No. 13.560, Community Education Program)

Dated: September 12, 1975.

DUANE J. MATTHEES,
U.S. Commissioner of Education.

Approved: December 1, 1975.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

Subpart A—General

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160c.1 Scope and purpose.
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Subpart C—Training Projects in Institutions of Higher Education

160c.30 Nature of Federal projects.
160c.31 Application requirements for all institutions of higher education grants.
160c.32 Training to local educational agencies.
160c.33 Training to State educational agencies.
160c.34 Training assessment and curriculum development.
160c.35 Criteria for evaluation of applications.
160c.36 Allowable costs.

AUTHORITY: Sec. 405, Pub. L. 93-380 (20 U.S.C. 1004).

Subpart A—General

§ 160c.1 Scope and purpose.

(a) *Scope.* This part applies to projects assisted with funds appropriated pursuant to the Community Schools Act, section 405 of Pub. L. 93-380, or with funds made available for expenditure under the Community Schools Act pursuant to the Special Projects Act, as enacted by section 402 of Pub. L. 93-380.

(b) *Purpose.* The purpose of the program carried out pursuant to this part is, through grants to State educational agencies, local educational agencies, and institutions of higher education, to encourage and assist:

(1) Public schools to involve the people of the community in programs designed to meet their educational, recreational, and cultural needs;

(2) A more efficient use of public education facilities through extending the times during which and purposes for which school buildings and equipment are used; and

(3) Public schools, in cooperation with other community groups and resources, to establish community education programs as centers for educational, recreational, cultural, and other related community activities and services in accordance with the needs, interests, and concerns of the community.

(20 U.S.C. 1004(b))

(c) *Other pertinent regulations.* Assistance provided under this part is subject to applicable provisions contained in (1) Subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters) (45 CFR Parts 100, 100a) and (2) Part 100 of this chapter relating to the Special Projects Act.

(20 U.S.C. 1004 (a) and (b))

§ 160c.2 Definitions.

As used in this part:

"Act" means the Community Schools Act, enacted as section 405 of the Education Amendments of 1974, Pub. L. 93-380.

"Institution of higher education" means an educational institution in any

State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (4) is a public or other nonprofit institution, and (5) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, (i) is an institution with respect to which the Commissioner has determined that there is satisfactory assurance, considering the resources available to the institution, the period of time, if any, during which it has operated, the effort it is making to meet accreditation standards, and the purpose for which this determination is being made, that the institution will meet the accreditation standards of such an agency or association within a reasonable time, or (ii) is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. Such term also includes any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of clauses (1), (2), (4), and (5).

"Local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. The term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

"Program" means a community education program which meets each of the requirements set forth in § 160c.3, except as used in Subpart C of this part, in which "program" means the training program of the institution of higher education which is developed, established, or expanded by a Federal project awarded under Subpart C of this part.

"Program activities and services" offered by a community education program may include, but need not be limited to, the following suggested examples: educational, cultural, recreational and other related community services in the form of formal classes or courses, activities making available the school and other public facilities and equipment for use by individuals or groups, services such as health or dental care, or special programs for particular target populations such as those designed to serve older persons, to eliminate disproportionately high incidence of suspension, expulsion, or other disciplinary action involving students, for persons who withdraw from school membership before completing the elementary and secondary school education, for mentally or physically handicapped or other health-impaired persons, or to provide rehabilitation services for persons who have been in criminal or juvenile justice systems.

"Project" means those activities of a grantee which the Commissioner determines to be eligible for Federal financial assistance, in accordance with the provisions of § 160c.10 (c), (d), and (e) or § 160c.30, as applicable.

"Public facility" means a facility owned by any department or branch of a State, county, or municipal government.

"State" means, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such office or agency, an officer or agency designated by the Governor or by State law.

(20 U.S.C. 1864)

§ 160c.3 Elements of a community education program.

(a) *Types of assistance.* Assistance will be provided under this part to: (1) State educational agencies and local educational agencies to plan, establish, expand, improve, maintain and/or provide developmental or technical assistance to one or more community education programs, and (2) Institutions of higher education to develop and establish, or to expand, programs which will train persons to plan and operate community education programs.

(b) *Significance of elements.* For the purposes of this part, the minimum elements of a community education program are described in paragraph (c) of this section.

(1) The minimum elements set forth in paragraph (c)(1) of this section relate to specific community education programs to be assisted under a project proposed to be carried out by an applicant under Subpart B of this part rather than to the project as a whole. For example, with reference to the minimum element in paragraph (c)(1) of this section, if a local educational agency applies for a project to establish two new community education programs and to expand two existing community education programs, each of the individual community education programs to be expanded and established must provide for the direct and substantial involvement of a public elementary or secondary school in the administration and operation of the program. However, the overall project activities directed at expanding and establishing these programs may, for example, include the provision of developmental and technical assistance to the individual community education programs from a central office of the local educational agency, and administration of the overall project could therefore be centered in such an office.

(2) The minimum elements set forth in paragraph (c) of this section relate to specific community education programs as follows: (i) A community education program which a State educational agency or local educational agency applicant proposes to expand or operate under this part (or to which a State educational agency or local educational agency proposes to provide developmental and technical assistance in connection with its expansion or operation) must meet these minimum elements; (ii) A project proposed for assistance under this part to plan and establish a new community education program or to provide developmental or technical assistance in connection with the establishment of a new community education program must have the purpose of securing achievement of these minimum elements; and (iii) Training programs at institutions of higher education assisted pursuant to this part must be designed to provide training in skills and understandings with reference to all of these elements.

(3) The minimum elements of a community education program described in paragraph (c) of this section also serve the Commissioner and applicants in distinguishing a community education program from other related programs such as adult education programs and regular kindergarten through twelfth grade instructional programs, for purposes of determining when a program is a new community education program earning an 90 percent Federal share under § 160c.19.

(c) *Minimum elements.* The following are minimum elements of a community education program.

(1) *School involvement.* The program must provide for the direct and substantial involvement of a public elementary or secondary school in the administration and operation of the program.

(20 U.S.C. 1864 (b), (e), (d)(1); S. REP. NO. 763, 92d Cong. 2d Sess. 72-73 (1974))

(2) *Community served.* The program must serve an identified community which is at least coextensive with the school attendance area for the regular instructional program of the school involved in the administration and operation of the program, except where special circumstances warrant the identification of a smaller community.

(20 U.S.C. 1864(b), (e))

(3) *Public facility as a community center.* (i) Program services to the community must be sufficiently concentrated and comprehensive in a specific public facility, including, but not limited to, a public elementary or secondary school, a public community or junior college, or a community recreation or park center, in terms of scope and nature of program services (which may not be limited to one or a limited number of areas such as

recreation or adult education), hours of service, and other characteristics to constitute such facility as a community center; (ii) Satellite or mobile facilities related to the community center may be used by the center for the provision of a portion of program activities and services, and such satellite or mobile facilities may include nonpublic facilities which are made available for use by the public.

(20 U.S.C. 1864(c))

(4) *Scope of activities and services.* The program must extend the program activities and services offered by, and uses made of, the public facility in terms of the scope and nature of program services, the target population served, and the hours of service. For example, where a public elementary or secondary school is used as the facility, while the concept of community education would encompass (rather than merely being an add on to) the regular kindergarten through twelfth grade instructional program, the school would need to provide additional programs, activities, and services beyond the regular kindergarten through twelfth grade instructional program.

(20 U.S.C. 1864(b))

(5) *Community needs.* The program must include systematic and effective procedures (i) for identifying and documenting on a continuing basis the needs, interests, and concerns of the community served with respect to community education activities and services, and (ii) for responding to such needs, interests, and concerns.

(20 U.S.C. 1864 (b) and (c))

(6) *Community resources and interagency cooperative arrangements.* (i) The program must provide for the identification and utilization to the fullest extent possible of educational, cultural, recreational, and other existing and planned resources located outside of the school (including but not limited to, services of volunteers) to enhance the size and quality of the program.

(ii) The program must also be designed to encourage and utilize cooperative agreements and other arrangements among public and private agencies to make maximum use of existing talents and resources and to avoid duplication of services.

(20 U.S.C. 1864 (b) and (c))

(7) *Program clients.* The program must be designed to serve all age groups in the community, including preschool children, children and youths in school, out-of-school youths, adults, and senior citizens, as well as groups within the community with special needs for community education services and activities, such as persons of limited English-speaking ability, mentally or physically handicaped or other health-impaired persons, or other special target groups not adequately served by existing programs within the community.

(20 U.S.C. 1864(c))

(8) *Community participation.* The program must provide for the active and continuous involvement, on an advisory basis, of institutions, groups, and individuals including, but not limited to, local community colleges, social, recreational, and health groups, and persons broadly representative of the community served, including representatives of parents of students in the regular instructional program of the school involved in the administration and operation of the program and other residents of the community, in the planning and carrying out of the program, including involvement in the assessment of community needs and resources and in program evaluation.

(20 U.S.C. 1864 (b), (c); H.R. REP. NO. 805, 93d Cong., 2d Sess. 50 (1974))

§ 160c.4 Limitation on number of applications.

(a) Except as provided in paragraphs (b) and (c) of this section, an applicant may submit only one application (whether or not filed jointly with another applicant in a given fiscal year for assistance pursuant to this part.

(b)(1) A State educational agency which applies to provide developmental and technical assistance to one or more community education programs being administered by a local educational agency must file a single application to cover these activities.

(2)(i) In the event that a State educational agency applies (either individually or jointly with one or more local educational agencies) to plan, establish, expand, improve, or maintain one or more community education programs which it directly administers through a public elementary or secondary school, the State educational agency must submit one or more applications for these activities which is separate from any application the State educational agency files under paragraph (b)(1) of this section.

(ii) A State educational agency may file a single application to cover activities which it proposes to carry out under this subparagraph, or it may file a separate application with respect to each local educational agency with which it is jointly applying to carry out these activities.

(c) An institution of higher education may apply for grants for each of the types of projects described in §§ 160c.32, 160c.33 and 160c.34, respectively. It must file a single and separate application with respect to each of the following sections under which it seeks assistance: §§ 160c.32, 160c.33, 160c.34.

(d) The limitation in paragraph (a) of this section applies to preapplications submitted by local educational agencies if the Commissioner requires preapplications pursuant to § 160c.12.

(20 U.S.C. 1221e-3(a)(1), 1864(d)(6))

§ 160c.5 Duration of projects.

(a) Project awards pursuant to this part will be for a grant period of up to one year. If a grantee seeks to receive assistance pursuant to this part for an additional period beyond such grant period, it must submit a new application for a new grant award. Such new application will be evaluated in competition with applications from other former grantees as well as from applicants which have not previously received assistance under this part.

(b) The Federal share of the projects will be computed in accordance with § 160c.19, including § 160c.19(b)(2) which provides that a new community education program may qualify for the 80 percent Federal share for one or two years of funding.

(20 U.S.C. 1221e-3(a)(1), 1864))

§ 160c.6 Community Education Advisory Council.

(a) The Act establishes a Community Education Advisory Council in the Office of the Commissioner composed of eleven members appointed by the Secretary.

(b) The Advisory Council will advise the Commissioner on policy matters relating to the interests of community schools.

(1) The Advisory Council has advised the Commissioner regarding the establishment of the regulations in this part.

(2) The Advisory Council will create a system for the evaluation of projects funded under this part and will present to Congress a complete and thorough evaluation of the projects funded under this part and the operation of this section for each fiscal year subsequent to fiscal year 1975.

(20 U.S.C. 1864(g))

§ 160c.7 Clearinghouse; technical assistance.

(a) The Commissioner will establish or designate a clearinghouse to gather and disseminate information received from community education programs, including but not limited to information regarding new programs, methods to encourage community participation, and ways of coordinating community education programs with other community services. The Commissioner may contract with public or private agencies or organizations to establish and operate the clearinghouse.

(b) The Commissioner will make available to each community education program such technical assistance and information as the program may require, and such technical assistance shall be coordinated with the national clearinghouse.

(20 U.S.C. 1864(f))

§ 160c.8 [Reserved]

Subpart B—State and Local Educational Agency Projects

§ 160c.9 Eligibility.

State educational agencies and local educational agencies are eligible to receive grants pursuant to this subpart.

(20 U.S.C. 1864(d)(1))

§ 160c.10 Scope of Federally assisted projects.

(a) *General.* Grants of federal funds pursuant to this subpart will be made for projects to plan, establish, expand, operate, and/or provide developmental and technical assistance to one or more com-

munity education programs meeting or making progress toward meeting the requirements of § 160c.3.

(20 U.S.C. 1004(d) (1))

(b) *Amount of award.* The Federal grant shall be an amount determined by the Commissioner and set forth in the grant award document, which in no case shall exceed the applicable percentage, determined pursuant to § 160c.19, of the amount which the Commissioner determines to be the total, reasonable, and necessary cost of the project, subject to paragraphs (c) and (d) of this section and to § 160c.20.

(20 U.S.C. 1004(d) (1) and (2))

(c) *Costs generally allowable.* For the purposes of this section, the project to which the Federal share (as determined pursuant to § 160c.19) will be applied may include: (1) Leadership, coordinating, and administrative costs of planning, establishing, expanding, operating, coordinating, and providing developmental and technical assistance to one or more community education programs, including costs such as the salaries of community education administrators and their staff (including any community members who are employed as staff members) responsible for planning and implementing the project and community education programs thereunder; (2) training for such persons and for the applicant's chief executive officer; (3) other costs incidental to scheduling, assessing community needs and interests, recruiting administrative and instructional staff for the program and program participants, dissemination of information to the community, and to other interested parties obtaining community participation in the planning and carrying out of the project and programs (including the costs related to the functioning of advisory councils, exclusive of the payment of salaries, honoraria and the like, for members of such councils), budgeting and management, and identifying and obtaining the input of other community resources; and (4) other costs incidental to assisting community education programs in carrying out these functions and to building their capacity to discharge these functions (as provided in paragraph (e)(3)(ii) of this section)

(20 U.S.C. 1004(d); H.R. REP. NO. 806, 94d Cong., 2d Sess. 51 (1974))

(d) *Costs allowable when specifically authorized.* The project to which the Federal share will be applied may include costs beyond those described in paragraph (c) of this section, including costs such as instructor salaries, instructional materials and equipment, and other incidental expenses directly related to the provision of specific community education program activities and services (for example, course offerings and transportation for participants), only in exceptional circumstances when (1) the Commissioner determines that it would be in the interest of the Government in carrying out the purposes specified in § 160c.1 to contribute to such costs, based on such considerations as whether (i) Other public or private resources are unavailable for such costs; (ii) the charging of enrollment fees to program participants to cover such costs is not feasible or would create an excessive financial burden on potential program participants; (iii) proposed costs are reasonable in terms of the contributions which they will make to the purposes of the community education program and; (iv) failure to contribute to such costs would defeat the equitable distribution of assistance under this part; and (2) the grant specifically authorizes such costs.

(20 U.S.C. 1004(d))

(e) *Costs at agency and program levels.* (1) Projects eligible for assistance pursuant to this subpart may include leadership, coordinating, and administrative costs described in paragraph (c) of this section: (i) For activities within individual community centers related to planning, establishing, or administering community education programs in accordance with § 160c.3, and (ii) for activities outside of such individual centers but within the grantee local educational agency and/or State educational agency planning and providing developmental and technical assistance to such programs.

(2)(i) *Relationship of agency level costs to programs.* Eligible leadership, coordinating, and administrative costs described in paragraph (e)(1)(ii) of this section must relate to specific and identified community education programs being planned, established, or administered in accordance with § 160c.3. The project to which the Federal share will be applied may not include costs of the grantee local educational agency and/or State educational agency which do not relate directly to specific community education programs identified in the grant award.

(ii) *Developmental and technical assistance to programs.* Leadership, coordinating, and administrative costs of local educational agencies or State educational agencies described in paragraph (e)(1)(ii) of this section may include developmental and technical assistance to schools and other administering agencies (and, in the case of awards to State educational agencies, to local educational agencies) in planning, establishing, expanding, improving, and maintaining community education programs. Such developmental and technical assistance may include, but need not be limited to: (A) Planning and developing applications for assistance; (B) helping to survey the community education needs and resources of the community; (C) planning and developing community education programs; (D) helping to establish and coordinate community education task forces and advisory bodies; (E) training local directors of community education programs, and their staff and community teams; (F) assistance in the preparation of budgets for community education programs; (G) identifying and cooperating with training programs of institutions of higher education to bring together local officials who need training with the institutions which can provide the necessary training; (H) helping communities to expand existing community education programs; (I) helping communities and local community education directors to develop evaluation plans and to conduct evaluations of community education programs; and (J) helping communities and local educational agencies bring their community education programs into conformity with any existing State plan for community education.

(20 U.S.C. 1004 (c), (d) (1), (3) and (4)(C))

§ 160c.11 State educational agency projects.

(a) *Types of assistance to State educational agencies.* State educational agencies may apply for assistance pursuant to this part (1) to plan, establish, expand, improve, or maintain one or more community education programs which they directly administer through a public elementary or secondary school in accordance with § 160c.3(c)(1) (in cases where the State educational agency is directly responsible for operating a public school or where it applies jointly with a local educational agency), or (2) to plan and provide developmental and technical assistance to one or more community education programs (in connection with the establishment, expansion, improvement, or maintenance of such programs) being administered by a local educational agency, as provided in § 160c.10(e)(2)(ii).

(20 U.S.C. 1004(d) (1) and (2))

(b) *Relationship to community education programs.* Projects proposed by State educational agencies described in paragraph (a)(2) of this section may relate to: (1) Community education programs for which the local educational agency administering the program is receiving or seeking Federal assistance pursuant to this part; or (2) community education programs administered by local educational agencies which are neither seeking nor receiving Federal assistance pursuant to this part.

(20 U.S.C. 1004(d) (1) and (2))

(c) *Incorporation by reference of information in local educational agency applications.* (1) Applications from State educational agencies described in paragraph (a)(2) of this section which relate to a community education program with respect to which a current application for assistance is submitted to the Commissioner by the local educational agency may incorporate by reference information with respect to the community education program provided in the application of the local educational agency.

(2) Any such information incorporated by reference into the application of the State educational agency will be considered by the Commissioner as if it were provided in the application of the State educational agency for purposes of satisfying the application requirements set forth in § 160c.15.

(3) The opportunity for review by the State educational agency of both pre-

application (if required by the Commissioner) and applications submitted by local educational agencies, as provided in §§ 160c.12(b)(4) and 160c.13 is designed to facilitate appropriate coordination of State educational agency and local educational agency applications and permit the State educational agency to avail itself of the provisions for incorporation by reference in this paragraph.

(20 U.S.C. 1221e-3(a)(1), 1004(d))

(d) *Subgrants; Service contracts.* (1) State educational agencies may not use any Federal funds awarded pursuant to this subpart to award subgrants to local educational agencies or to any other entities or individuals.

(2) State educational agencies as well as local educational agencies may, with Federal funds awarded pursuant to this part, enter into contracts with local educational agencies or other entities or individuals to secure services which will assist them in carrying out a portion of the project activities, as provided in § 100a.30 of this chapter, subject to the conditions set forth in § 100a.30 which prohibit transfer of responsibility (or conduit arrangements) by the grantee and require a statement of intention to enter a service contract in the approved application or an approved amendment thereto.

(20 U.S.C. 1221c(b)(1), 1232c(b)(1))

§ 160c.12 Preapplications from local educational agencies.

(a) The Commissioner may require local educational agencies applying for assistance pursuant to this part to submit preapplications to the Commissioner in accordance with § 100a.41 of this chapter.

(b) In the event that the Commissioner does require preapplications from local educational agencies:

(1) As part of the project narrative statement required in preapplication forms provided for by § 100a.41 of this chapter, which may not exceed ten double-spaced, typewritten pages, local educational agency applicants must provide, with reference to each of the community education programs to be assisted under the project for which funding is sought, a description of:

(i) The objectives of the project;

(ii) How the community, school, public agencies, and other resources will be involved in planning, carrying out, and evaluating the project;

(iii) Procedures and strategies to achieve project objectives;

(iv) Resources available for support of the project; and

(v) How and why specific project objectives were chosen.

(2) Local educational agencies submitting the most highly rated preapplications will be invited to submit applications for review.

(3) Preapplications will be evaluated by the Commissioner on the basis of the applicant's and proposed project's prospects for meeting the application requirements described in § 160c.14 and for competing successfully with similar applications from other applicants in terms of the funding criteria set forth in § 160c.17.

(4)(i) A copy of the preapplication must be submitted by the local educational agency to the State educational agency of the State in which the local educational agency is located, concurrently with the submission of the preapplication to the Commissioner, to provide the State educational agency an opportunity to review and comment on such preapplication.

(ii) The Commissioner may establish a cut-off date for submission of comments by State educational agencies on local educational agency preapplications. If the Commissioner establishes a cut-off date for submission of comments, failure by a State educational agency to submit comments to the Commissioner within the period specified by the Commissioner for a preapplication shall be deemed a waiver of the State educational agency's opportunity to comment on that preapplication.

(20 U.S.C. 1221c(b)(1), 1004(d)(4))

§ 160c.13 State review of local educational agency applications.

(a) The Commissioner will not approve an application submitted by a local educational agency in accordance with § 160c.14 unless the State educational agency of the State in which that local educational agency is located has been given an opportunity to review and comment on such application.

(b) A local educational agency must provide a copy of its application to the appropriate State educational agency concurrently with its submission of the application to the Commissioner.

(c) The Commissioner may establish a cut-off date for submission of comments by State educational agencies on local educational agency applications. If the Commissioner establishes a cut-off date for submission of comments, failure by a State educational agency to submit comments to the Commissioner within the period specified by the Commissioner for an application shall be deemed a waiver of the State educational agency's opportunity to comment on that application.

(d) State educational agencies are encouraged, in any comments which they submit pursuant to this section (and pursuant to § 160c.12(b)(4) for any preapplications from local educational agencies), to describe: (1) Any efforts which they undertook to solicit views from diverse community groups in the community proposed to be served on the application; (2) the results of any such efforts; (3) the extent to which the application may result in activities or services which might duplicate other existing or planned activities or services in the communities to be assisted by the project; (4) steps which they have taken to obtain comments on the application from other State agencies with responsibilities related to community education activities and comments received from other State agencies pursuant to this process; and (5) any State or municipal laws which might deny or substantially limit use of public facilities for community education purposes.

(20 U.S.C. 1004(d)(4))

§ 160c.14 Application requirements for local educational agencies and State educational agencies administering community education programs.

(a) *Applicability.* The application requirements set forth in this section apply:

(1) To all applications submitted by local educational agencies and

(2) To State educational agency applications which relate to community education programs which the State educational agency will directly administer, as provided in § 160c.11(a)(1).

(b) *Proposed project description and background.* (1) An application under this section must provide a complete description of the proposed project and of each community education program for which assistance is sought in sufficient detail to apply the appropriate Federal share in accordance with § 160c.19 and to facilitate the evaluation of such application in accordance with the criteria in § 160c.17.

(2)(i) With respect to each community education program to be assisted under the proposed project, the applicant must indicate whether the proposed project is to establish a new community education program, to expand or improve an existing program, and/or to maintain or carry out an existing program, in accordance with the standards of § 160c.19. Final determination of the classification of the project for the purposes of applying the Federal share pursuant to § 160c.19 is reserved in the Commissioner.

(ii) An application which would assist community education programs earning different Federal shares (for example, a project to establish a new community education program and to maintain another existing program) or which would assist an individual community education program in a manner which would earn different Federal shares (for example, a project which requests Federal assistance both to maintain an existing community education program at its current level and to expand the same program) must break out in the budget proposed project costs in relationship to each community education program and, as appropriate, each aspect of an individual program, to permit calculation of the appropriate Federal share for the project pursuant to § 160c.19.

(3) In connection with projects to expand, improve, or maintain an existing community education program, descriptive information must be furnished on the existing program as well as on the program which will result from the proposed project.

(c) *Responsiveness to minimum elements.* The application must provide information sufficient to satisfy the Commissioner that each of the community education programs to be established, expanded, maintained or other-

wise assisted by the proposed project already meets each of the requirements set forth in § 160c.3, or that substantial compliance by each program with the requirements of § 160c.3 will be achieved as a result of the carrying out of the proposed project.

(d) *Needs analysis.* The application must provide: (1) An analysis and documentation, with respect to each community education program proposed to be assisted, of the educational, cultural, recreational, health, and related needs, interests, and concerns of the community to be served; (2) a proposed prioritization of the community needs and those expected to be served by the program; (3) in the case of applications which do not propose services in each of the areas of educational, recreational, health, and cultural activities, documentation that community needs were examined in each such area in which services are not proposed and of the basis for not proposing the services.

(e) *Involvement in preparation of applications.* The application must provide satisfactory documentation of involvement in the preparation of the application on an advisory basis of community colleges, social, recreational, and health groups, and persons broadly representative of the area or areas to be served by the project, including a description of procedures used to provide the public at large with an opportunity to have input (such as through public notice or hearings) in the preparation of the application.

(f) *Non-Federal share.* The application must contain assurances that the applicant will pay from non-Federal sources the remaining costs over and above the Federal share determined pursuant to § 160c.19 of carrying out the proposed project.

(g) *Evaluation information.* The application must contain a commitment by the applicant to collect and make available such information as may be required by the Commissioner or by the Community Education Advisory Council, in accordance with such time constraints as either of them may designate, for purposes of carrying out program evaluations in accordance with subsection (g) of the Act.

(h) *Dissemination.* The application must make provision for dissemination of information on the results of the project, and of the means used to achieve the results, to State educational agencies, local educational agencies, other educational agencies and institutions, the Commissioner, and the national clearinghouse described in § 160c.7.

(20 U.S.C. 1894)

§ 160c.15 Application requirements for State educational agency developmental and technical assistance projects.

(a) *Applicability.* The application requirements set forth in this section apply to all applications submitted by State educational agencies to plan and provide developmental and technical assistance to one or more community education programs being administered by a local educational agency, as provided in § 160c.11(a)(2).

(b) *Proposed project description and background.* (1) An application under this section must provide a complete description of the proposed project and of each community education program for which assistance is sought in sufficient detail to apply the appropriate Federal share in accordance with § 160c.19 and to facilitate the evaluation of such application in accordance with the criteria in § 160c.18.

(2) (i) With respect to each community education program to be assisted under the proposed project, the applicant must indicate whether the proposed project is to assist in the establishment of a new community education program, the expansion or improvement of an existing program, and/or the maintenance or carrying out of an existing program, in accordance with the standards of § 160c.19. Final determination of the classification of the project for the purposes of applying the Federal share pursuant to § 160c.19 is reserved in the Commissioner.

(ii) An application which would assist community education programs earning different Federal shares (for example, a project to provide developmental or technical assistance in connection with the establishment of a new community education program and the maintenance of another existing program) or which would assist an individual community education program in a manner which would earn different Federal shares (for example, a project which requests Federal assistance to help both to maintain an existing community education program at its current level and to expand the same program) must break out in the budget proposed project costs in relationship to each community education program and, as appropriate, each aspect of an individual program, to permit calculation of the appropriate Federal share for the project pursuant to § 160c.19.

(3) In connection with projects to provide developmental and technical assistance to expand, improve, or maintain an existing community education program, descriptive information should be furnished on the existing program as well as on the program which will result from the proposed project.

(c) *Responsiveness to minimum elements.* The application must provide (1) sufficient information to the Commissioner regarding how the applicant proposes to provide developmental and technical assistance; (2) sufficient information to satisfy the Commissioner that developmental and technical assistance will be provided only: (i) To help expand, improve, or maintain community education programs which already meet each of the requirements of § 160c.3; or (ii) to help new community education programs which are being planned and established for the purpose of securing achievement with each of the requirements in § 160c.3; and (3) a description of any existing or previous State program of technical assistance in community education.

(d) *Needs analysis.* The application must (1) document that the State educational agency has carried out a general statewide survey of existing and planned community education programs, including community education programs in rural areas of the State, and of the needs of the programs for developmental and technical assistance from the State educational agency; and (2) describe the results of the survey, including the basis for selecting for assistance those community education programs to receive developmental and technical assistance under the project, and the priorities among State needs.

(e) *Involvement in preparation of applications.* The application must provide satisfactory documentation of involvement in the preparation of the application on an advisory basis of community colleges, social, recreational, and health groups, and persons broadly representative of the area or areas to be served by the project, including a description of procedures used to provide the public at large with an opportunity to have input (such as through public notice or hearings) in the preparation of the application.

(f) *Non-Federal share.* The application must contain assurances that the applicant will pay from non-Federal sources the remaining costs over and above the Federal share determined pursuant to § 160c.19 of carrying out the proposed project.

(g) *Evaluation information.* The application must contain a commitment by the applicant to collect and make available such information as may be required by the Commissioner or by the Community Education Advisory Council, in accordance with such time constraints as either of them may designate, for purposes of carrying out program evaluations in accordance with subsection (g) of the Act.

(h) *Dissemination.* The application must make provision for dissemination of information on the results of the project, and of the means used to achieve the results, to State educational agencies, local educational agencies, other educational agencies and institutions, the Commissioner, and the national clearinghouse described in § 160c.7.

(20 U.S.C. 1894)

§ 160c.16 Criteria for evaluation of applications.

In order to achieve the purposes set forth in § 160c.1, the Commissioner, in determining whether to approve an application for a Federal grant and the amount of such grant pursuant to this subpart, will consider the factors set forth in §§ 160c.17 and 160c.18, as applicable, weighted according to the indicated points. The criteria set forth in § 160a.38(b) of this chapter shall not apply to the evaluation of applications under this subpart.

(20 U.S.C. 1894)

§ 160c.17 *Criteria for evaluation of applications from local educational agencies and State educational agencies administering community education programs.*

(a) *Applicability.* The criteria set forth in the succeeding paragraphs of this section will be utilized in reviewing applications submitted under this subpart by local educational agencies and those applications submitted by State educational agencies which propose to plan, establish, expand, improve, or maintain one or more community education programs which the State educational agency will directly administer, as provided in § 160c.11(a)(1). Total of 210 points).

(b) *General criteria.* (40 points)—(1) *Need for Federal assistance.* The extent to which the applicant documents a need for Federal assistance;

(2) *Plan.* The soundness of the proposed plan of project operation, including consideration of the extent to which:

(i) The objectives of the proposed project are sharply defined (including specific time schedules for their achievement), clearly stated, capable of being measured, and capable of being attained by the proposed objectives;

(ii) Objectives clearly relate to the needs assessed; and

(iii) Costs are reasonable in relation to anticipated results.

(3) *Staff.* The qualifications or appropriateness of staff selected or assigned to the project;

(4) *Training.* Where appropriate, the adequacy of provisions for short-term training;

(5) *Dissemination.* The adequacy of provisions for dissemination of information about the project to potential participants in the community and to other interested agencies, institutions, and individuals;

(6) *Coordination at the applicant level.* The quality of arrangements at the applicant level, with respect to community education generally and, in particular, the carrying out of the project, for coordination by the applicant with other appropriate agencies to the maximum extent possible, and to avoid duplication.

(c) *Overall quality of the project.* (80 points)—The likelihood that the project will (1) contribute to the establishment, expansion, or maintenance of one or more community education programs of high quality (beyond meeting minimum requirements) with respect to the elements set forth in § 160c.3(c); (2) develop approaches or results which can be utilized in other programs not directly assisted by the project; (3) develop the capacity of the applicant to plan, establish, expand, improve, and maintain community education programs; and (4) result in the development of exemplary or innovative community education programs (particularly in serving the fundamental community education, health, and other social welfare needs demanding attention) which can serve as models throughout the United States. Priority will be accorded to applications which focus on achievement of high quality in a limited number of community education programs which can serve as models for the applicant and other agencies to replicate over applications designed to assist a large number of community education programs.)

(20 U.S.C. 1864)

(d) *Relationship to specific community education programs.* (80 points) With respect to each community education program to be assisted by the project:

(1) *School and school board involvement.* The extent to which a public elementary and secondary school and the school board are involved in the project. Examples of factors which could affect this criterion include, but are not limited to: (i) The intensity and quality of involvement by a public elementary or secondary school in the carrying out and administration of the program, as provided in the application; (ii) the extent to which the program will provide for the integration of, and mutual reinforcement between, the participating school's regular instructional program and its community education activities and services; (iii) whether a public elementary or secondary school building will serve as the center for the program; and the extent to which community activities and services will be sufficiently concentrated and comprehensive and thereby make maximum use of existing school facilities; and (iv) evidence of commitment by the school board to the support and improvement of the program.

(20 U.S.C. 1864 (b), (c), and (d); S. Rep. No 763, 93rd Cong. 2d Sess. 72-73 (1974))

(2) *Needs and services.* (i) The extent to which the program priorities and the program services and activities respond to identified local needs and target groups and (ii) the extent to which geographic and other constraints to potential participation in the program by members of the community to be served are recognized and resolved.

(3) *Coordination, consultation, and cooperative arrangements.* The adequacy of arrangements to achieve maximum coordination and cooperation among public and private agencies, utilize existing resources, and avoid duplication in the planning for, and provision of services by, the program.

(20 U.S.C. 1864, H.R. Rept. No. 805, 93rd Cong. 2d Sess. 50 (1974))

(4) *Community participation.* The extent of community participation in all aspects of the program, including needs and resources assessment, application preparation, and the planning and delivery of activities and services.

(20 U.S.C. 864, H.R. Rept. No. 805, 93rd Cong. 2d Sess. 51 (1974))

(e) *Distribution of projects.* (10 points)—The extent to which approval of a project will contribute to (1) an equitable geographic distribution of community education programs throughout the United States in both urban and rural areas, and (2) the funding of a wide variety of projects which collectively can demonstrate diverse approaches to effective community education programs and the role which limited Federal resources can play in assisting such programs.

(20 U.S.C. 1864(h))

§ 160c.18 *Criteria for evaluation of State educational agency developmental and technical assistance applications.*

(a) *Applicability.* The criteria set forth in the succeeding paragraphs of this section will be utilized in reviewing State educational agency applications for projects to plan and provide developmental and technical assistance to one or more community education programs being administered by a local educational agency, as provided in § 160c.11(a)(2). (Total of 210 points).

(b) *General criteria.* (40 points).

(1) *Need for Federal assistance.* The extent to which the applicant documents a need for Federal assistance;

(2) *Plan.* The soundness of the proposed plan of project operation, including consideration of the extent to which:

(i) the objectives of the proposed project are sharply defined (including specific time schedules for their achievement), clearly stated, capable of being measured, and capable of being attained by the proposed objectives;

(ii) objectives clearly relate to the needs assessed; and

(iii) costs are reasonable in relation to anticipated results.

(3) *Staff.* The qualifications or appropriateness of staff selected or assigned to the project;

(4) *Training.* Where appropriate, the adequacy of provisions for short-term training;

(5) *Dissemination.* The adequacy of provisions for dissemination of information (i) about the project to potential participants in the community; and (ii) on the results of the project to other interested agencies and institutions; and

(20 U.S.C. 1864)

(6) *Coordination at the State level.* The quality of arrangements at the State level, with respect to community education generally and, in particular, the carrying out of the project, for coordination by the State educational agency with other appropriate agencies to the maximum extent possible, to avoid duplication.

(20 U.S.C. 1864)

(c) *Overall quality of the project.* (80 points)—The likelihood that the project will (1) contribute to the establishment, expansion, or maintenance of one or more community education programs of high quality (beyond meeting minimum requirements) with respect to the elements set forth in § 160c.3(c); (2) develop approaches or results which can be utilized in other programs not directly assisted by the project; (3) develop the capacity of the applicant to provide developmental and technical assistance to community education programs; and (4)

rants in the development of exemplary or innovative community education programs which will contribute to the diversity of different community education models throughout the United States.

(20 U.S.C. 1004)

(4) *Effect on quality of assisted community education programs.* (20 points)—With respect to each community education program to be assisted by the project, the extent to which the proposed developmental and technical assistance activities are designed to assist and encourage:

(1) *School involvement.* The integration of, and mutual reinforcement between, the regular instructional program of schools and their community education programs;

(2) *Needs and services.* Careful and continuing needs assessment with respect to the community to be served and the development of program activities and services which are responsive to community needs;

(3) *Coordination, consultation, and cooperative arrangements.* The development of effective arrangements to achieve maximum coordination and cooperation among public and private agencies, utilize existing resources, and avoid duplication in the planning for, and provision of services by, the program; and

(4) *Citizen participation.* The development of effective means for active and continuous involvement of community members in planning and carrying out the program which serves them.

(e) *Equitable geographic distribution.* (10 points)—The extent to which (1) approval of a project will contribute to an equitable geographic distribution of community education programs throughout the United States in both urban and rural areas; and (2) the project responds to the needs of existing and planned community education programs in rural areas of the State for developmental and technical assistance from the State educational agency.

(20 U.S.C. 1004(b))

§ 160c.19 *Federal share of projects.*

(a) *General.* For the purposes of funding grant projects in accordance with § 160c.10, the Federal share shall be: (1) 80 percent of a project to establish a new community education program; (2) 65 percent of a project to expand or improve a community education program for the first year in which the program is assisted under this subpart, and 55 percent in any fiscal year thereafter; and (3) 40 percent of a project to maintain or carry out a community education program.

(b) *Establishment of a new program.* (1) A project will qualify for the 80 percent Federal share under paragraph (a)(1) of this section with respect to a new community education program to be established in a community which has no existing community education effort with elements responding substantially to each of the subparagraphs in § 160c.3(a).

(2) A project to establish a new community education program will qualify for the 80 percent Federal share with respect to that program for one or two years of funding, depending upon the Commissioner's judgment as to whether one or two years are required to establish the program, and subject to the provisions of § 160c.5 which require the applicant to submit a new application for the second year of funding which will be evaluated on a competitive basis with other applications for assistance under this subpart. Any project award relating to the same program in successive fiscal years, whether to the same applicant or to another applicant, would earn one of the Federal shares designated under paragraphs (a)(2) and (3) of this section, as appropriate.

(c) *Expansion or improvement of a program.* (1) A project which does not qualify for the 80 percent share under paragraph (b) of this section with respect to a community education program will qualify for the 65 percent Federal share with respect to a community education program in the first year in which the program is assisted under this part if the project provides for: (i) An increase in the number and types of activities and services offered in the program in response to community needs and interests; (ii) A substantial improvement in the accessibility of the program's activities to the community and an increase in the numbers of people served by the program; (iii) an increase in the level of participation by residents of the community and by other community organizations and agencies in planning and implementing the program; (iv) a substantial increase in the times during, and purposes for, which a public facility is used in the program; or (v) substantial improvement in the quality of (A) the processes by which the community education program is administered with input by community residents and organizations or (B) the activities and services offered by the program.

(2) The Federal share provided for in this paragraph will be applied only against the incremental costs for the applicant of carrying out the expansion or improvement described in paragraph (c)(1)(i) through (v) of this section.

(d) *Calculation of share.* The Federal share for a project will be computed pursuant to this section by the Commissioner at the time of grant award with reference to each community education program to be assisted thereunder and, in connection with individual community education programs earning more than one Federal share, with reference to appropriate aspects of each such program.

(1) If a project proposes to establish one new community education program and maintain another existing community education program, eligible project costs related to the establishment of the new program would earn 80 percent Federal matching, while eligible project costs related to the maintenance of the existing program would earn 40 percent Federal matching. The Federal share for the project as a whole would therefore fall somewhere between 80 percent and 40 percent and would depend upon the relative project costs as between the new program and the maintained program.

(2)(i) With respect to a project which would expand or improve a given community education program, the applicant may seek Federal assistance pursuant to this subpart (A) both to maintain the program at its existing level and to expand or improve the program, or (B) only to improve or expand the program.

(ii) The Federal share specified in paragraph (a)(2) of this section will apply only to the incremental costs related to the expansion and improvement of the project, while the Federal share specified in paragraph (a)(2) of this section will apply to the costs associated with the maintenance of the program at its current level.

(iii) A project to expand or improve a community education program earning a 65 percent share of Federal assistance in the first year of assistance pursuant to this subpart which proposes in the second year merely to maintain the program at the level to which it was expanded or improved in the first year will earn only a 40 percent Federal share in the second year. The project will earn a 55 percent Federal share in the second year only to the extent that the community education program is improved or expanded in the second year.

(20 U.S.C. 1004(d)(3))

§ 160c.20 Allowable costs.

(a) Allowable costs under projects to which the applicable Federal share is awarded pursuant to this subpart shall be determined in accordance with cost principles set forth in Appendix B to Subchapter A of this chapter, subject to the limitations set forth in § 160c.10.

(b) There are no firm limits as to the amount of assistance provided under a grant pursuant to this subpart, but it is expected that a substantial number of grants of limited size will be awarded, and that the size of individual grant awards will depend upon the number of community education programs to be assisted in a way which satisfies applicable requirements and criteria in §§ 160c.14 or 160c.15, as applicable, and 160c.17 or 160c.18, as applicable, respectively, under the grant, whether the project is to establish (likely to receive the highest amount), expand, improve, and/or maintain community education programs, the specific criteria in § 160c.17 or § 160c.18, as applicable, and the level of competition for funds.

(c) The costs of facilities, capital assets, and repairs which materially increase the value or useful life of capital assets generally shall be unallowable under this subpart and will only be allowed if the Commissioner specifically authorizes such costs.

(20 U.S.C. 1004 (c), (d) (1), (31), (4) (C))

§§ 160c.21–160c.29 [Reserved]

Subpart C—Training Projects in Institutions of Higher Education

§ 160c.30 Nature of Federal projects.

(a) *General.* Grants of Federal funds pursuant to this subpart will be made to institutions of higher education to pay all or part of the costs of developing and establishing, or expanding, programs which will train persons to plan and operate community education programs.

(b) *Types of projects.* Each grant pursuant to this subpart will be for only one of the following types of projects to develop and establish, or expand: (1) Programs to train persons planning and operating community education programs in local educational agencies (or State educational agencies which are directly administering community education programs), as provided in § 160c.32; (2) programs to train persons in State educational agencies planning and providing developmental and technical assistance to community education programs administered by local educational agencies, as provided in § 160c.33; or (3) programs (i) to assess appropriate training competencies needed in local educational agencies and State educational agencies for the planning and administration of community education programs, how these competencies can be effectively acquired, and existing training opportunities available with respect to community education and (ii) to develop an appropriate training curriculum and training materials which would become broadly available for the training of community education leaders, administrators, related personnel, or community teams at local educational agencies and State educational agencies (including the chief executive officers of such agencies), as described in § 160c.34.

(c) *Capacity building.* (1) Projects supported pursuant to this subpart must be designed to build the capacity of the grantee institution of higher education to provide training (whether the training is provided directly or indirectly through the assessment of training needs and the development of training curriculum) on a scale not previously provided by the grantee or to local educational agencies or State educational agencies not previously served by the grantee.

(2) Training projects described in §§ 160c.32 and 160c.33 must build the capacity of the grantee through the provision by the grantee of inservice, basically short-term, continuous training to local educational agencies and/or State educational agencies, as provided in §§ 160c.32 and 160c.33.

(d) *Non-duplication of costs.* Federal funds provided pursuant to this subpart may not be used to pay for any costs of training which are being separately funded under a local educational agency or State educational agency project funded pursuant to Subpart B of this part.

(20 U.S.C. 1004(e))

§ 160c.31 Application requirements for all institutions of higher education grants.

The Commissioner will award a grant to an institution of higher education under this subpart only upon an application submitted to the Commissioner which:

(a)(1) Contains a project plan describing (i) project objectives which state specific and measurable outcomes for the project; (ii) a proposed time schedule for accomplishing the objectives; (iii) an explanation of proposed procedures, strategies, and activities for accomplishing the objectives; and (iv) an evaluation component providing for the collection, verification, and analysis of data to measure the extent to which the objectives are accomplished by the project.

(2) In addition to such other information as may be required pursuant to paragraph (a)(1) of this section, the project plan described in paragraph (a)(1) of this section must include: (i) A description of proposed workshops, conferences or seminars, including their locations, number of sessions planned, and approximate number of trainees; (ii) information on the qualifications of teaching and administrative staff to carry out the project; (iii) provision for disseminating information on the project to local educational agencies, State educational agencies, other institutions of higher education, and the national clearinghouse (established pursuant to subsection (f) of the Act); and (iv) a project budget.

(b) Provides a general description of existing training activities of the applicant in or related to community education, facilities and resources available for such activities, institutions and programs which benefit from its training activities, and the extent to which its present experience will contribute to the effectiveness of the proposed project; and

(c) Includes a statement of commitment that the applicant will, upon the expiration of Federal assistance, continue to carry out training activities for the institutions and programs to be benefited under the Federally funded project.

(d) Contains a commitment by the applicant to collect and make available such information as may be required by the Commissioner or by the Community Education Advisory Council, in accordance with such time constraints as either of them may designate, for purposes of carrying out project evaluations in accordance with subsection (g) of the Act.

(e) Documents that the applicant has carried out a preliminary survey of the training needs and available resources to meet those needs in the areas proposed to be served by the project, including a brief description of the procedures used in the surveys and the results of the survey.

(20 U.S.C. 1004(e)(g))

§ 160c.32 Training to local educational agencies.

(a) *Purpose.* Grants to institutions of higher education under this section will be for the purpose of providing on-going, continuous inservice training to eligible recipients of training in local educational agencies planning and administering community education programs and in State educational agencies directly planning and administering such programs.

(b) *Funding requirements.* Training provided under a grant awarded pursuant to this section must meet the following requirements:

(1) The training must be designed to provide training in skills and understandings with reference to each of the elements of a community education program set forth in § 160c.3 and must include training in such areas as: (i) Understanding the concepts of community education, (ii) data collection and interpretation; (iii) community organization; and (iv) knowledge of other community education programs of an exemplary nature.

(2) The training generally must be short-term in nature and offered at times and in such a manner as to allow participation by recipients of the training on a basis which will cause minimum disruption to the carrying out of their responsibilities in planning and in operating community education programs.

(3) The training activities must be provided for eligible recipients in specific local educational agencies (and in specific State educational agencies, as described in paragraph (a) of this section) on a continuing basis over the course of the grant period, with provisions for follow-up and reinforcement of specific training workshops or exercises.

(c) *Recipients of training.* Eligible recipients of training under grants awarded to institutions of higher education pursuant to this section include persons in local educational agencies (or in State educational agencies directly administering a community education program) involved in the planning and operation of community education programs, including the chief executive officer of the State educational agency or local educational agency, leaders, coordinators, administrators, and other staff of community education programs, and members of the community assisting in the planning and carrying out of such programs, and including persons certified by a local educational agency or State educational agency as about to undertake such responsibilities within that agency.

(d) *Application requirements.* In addition to meeting the requirements of § 160c.31, applications for grants under this section must:

(1) As part of the project plan required by § 160c.31(a), name each local educational agency (and State educational agency) to be served by the proposed training project and indicate the general scope of services to be provided to each such agency, officials or groups to receive the training and how they will be selected, and the skill or competency

needs of recipient agencies and how the project will respond to the needs.

(3) Include as an attachment a letter of commitment from each local educational agency (or State educational agency) to be served by the project, indicating its intention to participate in the project, certifying its need for the services which the application proposes to provide to the agency, and indicating any financial assistance it is receiving or seeking pursuant to this part related to the proposed training services.

(3) Describe current training activities of the applicant, including approximate numbers and program affiliations of individuals trained, cost of training, and staff carrying out the activities.

(4) Provide information to satisfy the Commissioner that the requirements in § 160c.30 (c) and (d) and paragraphs (a), (b), and (c) of this section are satisfied.

(e) *Number and size of grants.* It is expected that a number of small grants to institutions of higher education (or to consortia of institutions of higher education) will be awarded each fiscal year pursuant to this section. The size of grant awards will depend upon the number of local educational agencies (or State educational agencies) to receive training services, the scope and quality of the project as measured by criteria set forth in § 160c.35, and the level of competition for available funds.

(20 U.S.C. 1004(c))

§ 160c.33 Training to State educational agencies.

(a) *Purpose.* Grants to institutions of higher education under this section will be for the purpose of providing on-going, continuous inservice training to eligible recipients of training in State educational agencies planning and providing developmental and technical assistance to community education programs administered by local educational agencies.

(b) *Program requirements.* Training programs funded under this section must be designed to provide training:

(1) In the following skills and understandings: (i) General skills necessary and appropriate for the organization, development, and administration of statewide community education activities; (ii) technical skills related to carrying out needs and resources assessments, evaluation of community education programs, planning, and data collection; (iii) skills in the provision of developmental or technical assistance to local community education programs; (iv) a general understanding of the concepts of community education, including those reflected in § 160c.3; (v) identification of, and coordination with, other Federal and State resources, including the resources of other States;

(2) Through the provision of information on: (i) Successful community education programs and State activities related thereto in other States; and (ii) information on community education programs, and research and development related thereto, available from the clearinghouse (established pursuant to subsection (f) of the Act), and from the Commissioner;

(3) Which involves training activities for eligible recipients in specific State educational agencies: (i) On a continuing basis over the course of the grant period, with provisions for follow-up and reinforcement of specific training workshops or exercises; and (ii) which are short-term in nature and offered at times and in such a manner as to allow participation by recipients of the training on a basis which will cause minimum disruption to the carrying out of their responsibilities in planning and providing assistance to community education programs.

(c) *Recipients of Training.* Eligible recipients of training under grants awarded to institutions of higher education pursuant to this section include:

(1) Leaders, coordinators, and administrators of community education activities in State educational agencies, including the chief State school officer;

(2) Members of any advisory bodies responsible for advising the State educational agency in the carrying out of community education activities; and

(3) Persons certified by a State educational agency as about to undertake positions described in paragraphs (c) (1) and (2) of this section within that State educational agency.

(d) *Application requirements.* Applications for grants under this section must meet the requirements of § 160c.31 and provide information to satisfy the Commissioner that the requirements in § 160c.30 (c) and (d) and paragraphs (a), (b), and (c) of this section are satisfied.

(e) *One grant.* It is expected that only one grant to an institution of higher education or to a consortium of institutions of higher education will be made pursuant to this section in the first year in which grants are made pursuant to this part. The grant award will have the purpose of providing training to eligible recipients in a large number of State educational agencies.

(20 U.S.C. 1004(c))

§ 160c.34 Training assessment and curriculum development.

(a) Grants to institutions of higher education under this section will be for one or more of the following purposes:

(1) To assess (i) appropriate training competencies needed in local educational agencies and State educational agencies for the planning and administration of community education programs and for the provision of developmental and technical assistance to such programs; (ii) how those competencies can be effectively acquired; and (iii) existing training opportunities available with respect to community education;

(2) To develop appropriate training curricula and training materials designed to train administrators (including chief executive officers) and related personnel planning and carrying out or assisting community education programs in local educational agencies and State educational agencies, including appropriate materials for long- and short-term training, and formal and informal training, materials appropriate for use by community education program personnel without trained instructors, packaged training modules susceptible to flexible use to meet particular training needs in different settings and for trainees with different experiences, and materials to train trainers in community education.

(b) Applications for grants under this section must meet the requirements of § 160c.31 and provide information on the potential benefits and uses, including potential users, of assessments carried out and materials developed under the project; and

(c) It is expected that about three grants to institutions of higher education (or to consortia of institutions of higher education) will be made pursuant to this section in the first fiscal year in which grants are made pursuant to this part. The grant awards will focus on assessment activities described in paragraph (a)(1) of this section. Grants in successive fiscal years are expected to focus on the development of training curricula and materials pursuant to paragraph (a)(2) of this section.

(20 U.S.C. 1004(c))

§ 160c.35 Criteria for evaluation of applications.

(a) In order to achieve the purposes set forth in § 160c.1, the Commissioner, in determining whether to approve an application for a Federal grant and the amount of such grant pursuant to this subpart, will consider the following factors, weighted as indicated:

(1) (5 points)—The need for the proposed activity in the area served or to be served by the applicant;

(2) (15 points)—Adequacy of qualifications and experiences of personnel designated to carry out the proposed project;

(3) (30 points) Soundness of the proposed plan of operation, including consideration of the extent to which:

(i) The objectives of the proposed project are sharply defined, (including specific time schedules for their achievement) clearly stated, capable of being attained by the proposed procedures, and capable of being measured;

(ii) Provision is made for adequate evaluation of the effectiveness of the project and for determining the extent to which the objectives are accomplished;

(iii) Objectives clearly relate to needs assessed; and

(iv) Costs are reasonable in relation to anticipated results.

(4) (30 points)—Expected potential for utilizing the results of the proposed project in other projects or programs for similar educational purposes;

(5) (10 points)—Provision is made for disseminating the results of the project and for making materials, techniques, and other outputs resulting therefrom available to the general public and specifically to those concerned with the area of education with which the project is itself concerned.

(6) (20 points)—The extent to which the application reflects a knowledge of and has analyzed training needs in community education, with specific reference to agencies to be served or benefited in the project, provides for responding to such needs; and has involved persons to be trained in the design and planning for training.

(7) (25 points)—The extent to which the proposed project is likely to build the capacity of the grantee to serve as a training resource for local educational agencies and State educational agencies planning, carrying out, and/or assisting community education programs.

(8) (20 points)—Evidence that the grantee will cooperate with other public and private agencies and institutions in carrying out the project so as to coordinate training activities with related activities in community education and to avoid duplication.

(9) (5 points)—The extent to which training provided by the project is likely to form a foundation from which training participants (or users of materials developed by the project) may pursue long-term or formal degree training if they so desire.

(10) (20 points)—(i) The extent to which approval of a project will (a) contribute to the funding of a wide variety of projects which collectively can demonstrate diverse approaches to training in community education; and (b) result in the development of exemplary or innovative quality program models throughout the United States recognizing the role which limited Federal resources can play in assisting such programs; and

(ii) The criteria in § 100a.26(b) of this chapter shall not apply to grant applications under this subpart.

(20 U.S.C. 1864(c))

§ 160c.36 Allowable costs.

Allowable costs under grants awarded pursuant to this subpart shall be determined in accordance with cost principles set forth in Appendix C—II to Subchapter A of this chapter, subject to applicable limitations set forth in this subpart and to the restrictions that (a) indirect costs will be allowed at either (1) the actual level of the institutional indirect costs or (2) 8 percent of total direct costs, whichever is the lesser; (b) the costs of facilities, capital assets, and repairs which materially increase the value or useful life of capital assets generally shall be unallowable under this subpart and will only be allowed if the Commissioner specifically authorizes such costs; and (c) stipends and dependency allowances will be unallowable.

(20 U.S.C. 1864(c))

[FR Doc.75-33071 Filed 12-11-75;8:45 am]

APPENDIX 9 B

COMMUNITY EDUCATION GRANTS
FISCAL YEAR 1976

(HEW-G75)

ALABAMA	
State Department of Education, Montgomery	$55,680
Piedmont City Schools, Piedmont	7,800
Pike County Board of Education, Troy	41,573
ALASKA	
State Department of Education, Juneau	41,000
ARIZONA	
Paradise Valley School District, Phoenix	32,119
State Department of Education, Phoenix	63,450
Arizona State University, Department of Education Administration and Supervision, Tempe	18,471
Pima County Community College, Tucson	18,031
Tucson School District No. 1, Tucson	38,100
ARKANSAS	
Hope School District 1-A, Hope	29,367
State Department of Education, Little Rock	24,841
CALIFORNIA	
Imperial Beach Elementary School, Imperial Beach	25,000
Oakland Unified School District, Oakland	51,247
Paramount Unified School District, Paramount	27,354
State Department of Education, Division of Adult and Community Education, Sacramento	78,000
COLORADO	
South Conejos School District 10, Antonito	18,700
Boulder Valley School District RE 2J, Boulder	19,500
State Department of Education, Denver	36,500
Poudre School District R-1, Fort Collins	26,838
Colorado State University, Department of Education, Fort Collins	18,388
CONNECTICUT	
University of Connecticut, Department of Education, Storrs	20,678
FLORIDA	
Miami-Dade Community College, Division of Community Services, Miami	32,585
State Department of Education, Tallahassee	50,000

(More)

(HEW-G75)

IDAHO

State Department of Education, Boise	$45,500

ILLINOIS

Southern Illinois University, Office of Special Programs and Minority Affairs, Edwardsville	39,925
Valley View School District 3654, Romeroville	36,645
Illinois Office of Education, Springfield	45,539

INDIANA

State Department of Public Instruction, Indianapolis	47,852
Ball State University, Continuing Education Division, Muncie	34,413

IOWA

Mississippi Bend Area Education Agency-Federal Programs Department, Davenport	49,729
State Department of Public Instruction, Area Schools Division, Des Moines	29,000

KANSAS

Colby Community College, Office of Community Service, Colby	30,219

KENTUCKY

Bowling Green-Warren County Community Education Board, Bowling Green	28,711
State Department of Education, Frankfort	71,936
Jefferson County Schools, Louisville	32,700
Montgomery County Community Schools, Mount Sterling	27,911
Owen County Board of Education, Owenton	28,380

LOUISIANA

State Department of Education, Baton Rouge	40,000

MAINE

State Department of Education, Augusta	34,793
Southern Aroostook Community School District, Island Falls	22,600

MARYLAND

State Department of Education, Baltimore	58,000

MASSACHUSETTS

Department of Community Development, Division of Human Services, Lynn	45,835

(More)

(HEW-G75)

MICHIGAN

School District of the City of Birmingham, Department of Development and Evaluation, Birmingham	$39,507
Beecher Community Schools, Flint	50,500
State Department of Education, Lansing	64,945
Livonia Public Schools School District, Livonia	21,015
Potterville Public Schools, Office of the Middle School Principal, Potterville	22,662

MINNESOTA

Minneapolis Public Schools, Community Education Service, Minneapolis	18,146
College of St. Thomas, Community Education Center, St. Paul	30,702
State Department of Education, Division of Instruction, St. Paul	81,800

MISSOURI

State Department of Elementary and Secondary Education, Career and Adult Education Division, Jefferson City	33,000
Mountain Grove Reorganized School District #3, Mountain Grove	26,084

NEVADA

State Department of Education, Carson City	22,673

NEW HAMPSHIRE

State Department of Education, Concord	33,450
New hampshire School Department, Superintendent's Office-Community Education Project, Portsmouth	33,846

NEW JERSEY

State Department of Education Field Services, Trenton	66,000

NEW MEXICO

Alamogordo Public Schools, Alamogordo	11,981

NEW YORK

State of New York, Education Department, Division of Continuing Education, Albany	65,000
Rush-Henrietta Central School, Henrietta	29,968
Ossining Union Free School District, Ossining	64,919
Syracuse City School District, Special Programs & Evaluation, Syracuse	30,370
Syracuse University, New York Center for Community Education, Syracuse	35,000

NORTH CAROLINA

Durham County School System, Durham	79,550

(More)

(HEW-675)

NORTH DAKOTA

State Department of Public Instruction, Bismarck	$37,030

OHIO

Nelsonville-York City Schools, Southeastern Ohio Regional Education Service Agency, Athens	25,000
State Department of Education, Columbus	48,300
Evergreen Local School District, Metamora	24,000

OKLAHOMA

Oklahoma State University, Department of Education Administration and Higher Education, Stillwater	31,929

OREGON

University of Oregon, Eugene	38,038
State Department of Education, Salem	30,000
Salem Public School District 24J, Salem	39,095

RHODE ISLAND

State Department of Education, Providence	55,961

SOUTH CAROLINA

State Department of Education, Columbia	29,600
Horry County School District, Conway	33,972
Lancaster City Schools, Lancaster	35,959

SOUTH DAKOTA

Shannon County Independent School District, Batesland	22,730

TENNESSEE

Bristol Tennessee Board of Education, Bristol	28,333
State Department of Education, Bureau of Administration-Instructional Services-Adult Education, Nashville	40,092

TEXAS

Austin Independent School District, Austin	58,526
Texas A&M University, College Station	70,080
Comal Independent School District, New Braunfels	33,495

UTAH

State Board of Education, Salt Lake City	75,000

(More)

(HEW-G75)

VERMONT	
State Department of Education, Teaching & Continuing Education, Montpelier	$25,156
VIRGINIA	
University of Virginia Mid-Atlantic Center for Community Education, Charlottesville	36,760
Gloucester City Department of Parks and Recreation, Gloucester	23,308
State Department of Education, Richmond	35,613
Richmond City Public Schools, Richmond	36,152
WASHINGTON	
Superintendent of Public Instruction, Olympia	54,900
South Kitsap School District No. 402, Port Orchard	49,500
WEST VIRGINIA	
Kanawha County Board of Education, Charleston	21,873
Marion County Parks and Recreation Department, Fairmont	29,711
Cabell County Board of Education, Huntington	39,620
WISCONSIN	
Wisconsin Common School District No. 1, Keshena	13,850
State Department of Public Instruction, Madison	43,389

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Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 160e—CONSUMERS' EDUCATION PROGRAM

Grants and Contracts

Notice of proposed rulemaking was published in the FEDERAL REGISTER on November 26, 1975 (40 FR 54805–54811) setting forth proposed regulations pursuant to Section 811 of the Elementary and Secondary Education Act, as amended by Pub. L. 93-380, 20 U.S.C. 887d.

The proposed regulations set forth rules and criteria governing grant and contract awards by the Commissioner of Education to State educational agencies, local educational agencies, institutions of higher education, and other public and private agencies, organizations and institutions for projects designed to provide consumers' education to the public.

A. Summary of comments on the proposed regulation; changes in the regulation. Interested persons were invited to submit written comments, suggestions, or objections regarding the proposed rules. Pursuant to this invitation, the following comments were submitted to the Commissioner of Education regarding the proposed regulation. After consideration of each comment, a response is set forth stating the change which has been made, or the reasons why no change is deemed necessary. General responses precede those related to specific sections. The comments are arranged in order of the sections of the final regulation except where a general response was required.

GENERAL

1. *Comment.* One commenter suggested that provisions for direct awards by the Commissioner to local agencies and institutions were not conducive to the coordination of Federal, State, and local efforts in education and suggested that the Commissioner consider funding the program through the States.

Response. No change has been made in the regulation. The Commissioner of Education is committed to the proper and efficient administration of Federal aid to education programs on a State-administered basis when authorized by law. In this program, the statute provides for direct grants and contracts to eligible applicants, including State educational agencies. No provision is made for a State-administered plan. The requirement in section 811(b)(1)(C) of the Act and § 160e.7 of the regulation that local educational agencies submit applications to State educational agencies for review provides an opportunity for the State educational agency to note possible duplication of effort and make recommendations conducive to coordination within the State. Though the State educational agency is not given authority under the statute to approve or disapprove local educational agency applications, the State recommendations will be carefully considered by the Commissioner in reviewing applications against the evaluation criteria in this regulation.

2. *Comment.* One commenter suggested amendments to sections 160e.1, 160e.4, 160e.5, 160e.6, 160e.9, 160e.10, 160e.11, 160e.12, 160e.13, and 160e.14 designed to make express reference to consumers' education activities for adults as authorized activities, to include such adult education in the priority funding areas, and to make projects more responsive to the needs of adults.

Response. The concerns of the commenter that the regulation make specific reference to the eligibility of adult education activities in consumers' education are well-taken, and amendments have been made to this end in sections 160e.1

(b)(2), 100e.4(a)(2), and 100e.10(a)(1). In addition, in accordance with the commenter's suggestions, § 100e.14(b) has been amended to indicate that the Commissioner's review of funded curricula and materials will be to ensure that they are non-discriminatory on the basis of age as well as race and sex. Adult education activities have not been added as a distinct priority area for funding since consumers' education for adults would certainly be a prominent aspect of any community consumers' education program, which receives priority consideration for grants as model projects under § 100e.4(c)(2)(i) or as the recipient of pre-service or in-service training under § 100e.4(c)(2)(ii). In addition, under § 100e.4(c)(2)(iii), priority is accorded to projects to develop programs, curricula, or materials designed to provide consumers' education to older persons (as well as to other groups of persons with special educational needs in the area of consumers' education). Other specific references to adults suggested by the commenter would not have involved any substantive change and would have required the addition of unnecessary detail to the regulation. Therefore, they were not added to the regulation.

3. *Comment.* One commenter suggested a number of amendments to sections 100e.3(d), 100e.4(a)(2), 100e.4(c)(2)(ii), 100e.13, and 100e.16(b) to highlight the eligibility of teacher trainers and counselors to participate as training recipients in pre-service and in-service training activities and to include such persons in the priority funding area involving pre-service and in-service training.

Response. No change has been made in the regulation. Teacher trainers and counselors are eligible recipients of training under each of the subject provisions, which include as eligible recipients "teachers and other educational personnel" (among others). However, they would come within the priority funding area only if they were working at the elementary or secondary school levels or in community consumers' education programs.

§ 100e.2 *Definitions.*

4. *Comment.* A commenter suggested that the term "consumers' education" be defined.

Response. No change has been made in the regulation. "Consumers' Education" already is effectively defined in § 100e.3(a)–(d) of the regulation.

§ 100e.3 *Nature of Consumers' Education.*

5. *Comment.* One commenter stated that § 100e.3 does not adequately recognize the long-standing work of home economics in consumers' education.

Response. No change has been made in the regulation. This section lists examples of subject matter suitable for consideration under the Consumers' Education Program. The regulation has not enumerated specific disciplines related to consumers' education out of the Office of Education's concern not to create the inference that certain disciplines are favored.

6. *Comment.* A commenter expressed the view that the reference to programs with an interdisciplinary approach in § 100e.3(b) was too general. This commenter felt that the regulation did not encourage correlated and coordinated comprehensive models. The commenter specifically suggested that elementary, secondary, and adult programs should be coordinated to provide knowledge and skills which are ongoing and progressive.

Response. No change has been made in the regulation. The regulation provides that projects "may involve interdisciplinary educational approaches" in order to clarify that a program of consumers' education need not be limited within a specific subject matter or discipline. Attention to consumers' education cutting across age and grade levels is given in that part of the regulation authorizing and giving priority to community consumers' education programs designed to serve all age groups in a community. Apart from the community projects, the regulation does not impose requirements related to the development of comprehensive projects involving multi-level education. Program funds are too limited to support comprehensive institutional programs, and the regulation permits projects focusing on very specific or limited model programs or products which can be developed with limited funds and which will then be available for replication by others.

7. *Comment.* One commenter suggested that it be made clear that the concept of "preparing consumers for participation in the marketplace" encompassed education for consumption of public utility services such as electricity, gas, telephone service, or water. The same comment recommended that the regulation expressly include education for consumers with respect to governmental regulatory processes and the operation of public utilities.

Response. The Commissioner agrees with this comment and has accordingly amended § 100e.3.

§ 100e.4 *Types of projects; funding priorities.*

8. *Comment.* One commenter expressed hope that activities supported under the program would include areas related to outdoor recreation such as the purchase of recreation subdivision properties, backpacking equipment, bicycles, motorcycles, campers, snowmobiles, and skiing equipment.

Response. No change has been made in the regulation. Consumers' education can include education with respect to major purchases (§ 100e.3(c)(5)), which might include purchases in the area of outdoor recreation, and purchases in outdoor recreation might therefore constitute part of the subject matter of a consumers' education program. However, an express reference to outdoor recreation in the regulation would be overly specific. If added, it would warrant the addition of countless other specific areas of purchases and might mislead applicants into focusing projects on the provision of consumers' information in specific areas rather than on consumers' education as defined in § 100e.3.

9. *Comment.* One commenter expressed the viewpoint that there is a need for further research (for example, into how economic insights may be effectively communicated) before substantial development is undertaken in the area of consumers' education. The comment articulated a hope that projects which embedded research into them would be funded.

Response. Research projects per se are authorized by both the statute and regulation. The regulation emphasizes research not in terms of the funding of specific research projects, but rather by the nature of the program strategy with its heavy emphasis on development and validation of exemplary materials and programs. Research components in the sense of evaluation of materials and programs are required in every grant project. In addition, in response to the comment, the regulation has been amended to clarify that research components are allowable under all of the grant areas (§ 100e.4(d)). The Consumers' Education Resource Centers described in § 100e.11 will be, in part, research operations designed to make existing research more available than it is presently.

The regulation thus reflects the importance of research connected with efforts in consumers' education but has not eliminated projects which include only an evaluation research component or projects which have not been designed by researchers.

10. *Comment.* A commenter asked what choices are available under contracts "to prepare and distribute consumers' education materials by mass media" under § 100e.4(c)(1)(i) and whether it would be possible for a local educational agency to contract with its own television section for this purpose.

Response. No change has been made in the regulation. A request for proposal (RFP) for a contract is solicited by the Office of Education through the Commerce Business Daily, published by the Department of Commerce. RFPs are targeted toward meeting specific goals that the Office of Education determines are necessary or desirable. An RFP includes pre-determined objectives and specifications which the prospective contractor is expected to meet. The contract is awarded to the contractor who designs the best project for meeting the stated objectives of the Office of Education. For this program, RFPs have not yet been issued. Activities described under § 100e.4(a)(6) related to the use of mass media for the preparation and distribution of consumers' education materials may also be included in grant applications, wherein applicants have considerable flexibility in describing project objectives and goals and how they will be carried out. Grant applications are of course subject to a competitive review in accordance with the evaluation criteria and priority areas specified in the regulation. Award recipients may carry out projects through their own staffs, and with the assistance of other organizations through service contracts, subject to the provisions of § 100a.30 of this Chapter.

11. *Comment.* A commenter asked whether a K-12 program may be conceptualized across the board under any of the three priorities listed in § 100a.4 (c) (2).

Response. A program addressed to grade levels K-12 might fit within the paragraphs dealing with training (for example, if the project were to train personnel involved at the K-12 grade levels) (§ 100a.4(c) (2) (ii)) and programs, curricula, and materials for special groups (§ 100a.4(c) (2) (iii)). However, a K-12 program would not meet the requirements for a model community education project (§ 100a.4(c) (2) (i)) which must have the potential for serving all age groups in the community served.

12. *Comment.* One commenter questioned whether local educational agencies are eligible to submit applications in the priority area of § 100a.4(c) (2) (i).

Response. Under § 100a.6, a local educational agency can submit an application for any activity described in the regulation, including all of the priority areas described in § 100a.4(c), except with regard to demonstration or pilot projects at the higher education level, where awards may be made only to institutions of higher education.

13. *Comment.* One commenter urged that activities carried on by alternative educational programs, such as day care centers and after-school programs be considered a priority. It was noted that such settings "are often better able to design programs in foster consumer education because of their non-traditional orientation."

Response. No change has been made in the regulation. The regulation is not designed to emphasize one type of eligible applicant over another. Priorities are framed in terms of types of project activities and the target populations addressed by those activities, and not in terms of eligible applicants. Both the priorities and the criteria are designed to insure that the most worthwhile and best designed project activities are funded. Non-traditional agencies and institutions can compete for funding on the same basis as their traditional counterparts.

14. *Comment.* A commenter suggested that in § 100a.4(c) a paragraph be added giving priority to applications approved by the State agency as described in § 100a.7 and which give proof of being part of a coordinated, statewide effort.

Response. No change has been made in the regulation. While it is hoped that many projects will be part of such coordinated efforts, it is believed that the suggestion might penalize high quality products or programs developed at a specific site which have the greatest promise of contributing to the statutory purpose. The focus of the regulation is on projects which develop model programs and products worthy of replication which can have a substantial national impact (§ 100a.3(f)). Given this approach and the limited program funds, it was felt that the suggested priority would not be appropriate. The opportunity for State review of local educational agency applications will create one vehicle for State coordination.

15. *Comment.* A commenter inquired whether, under § 100a.4(c) (2) (i), a model community program could be carried out via television, with daytime viewing for elementary and secondary students and evening viewing (in two languages) for the rest of the community.

Response. A program of this type could qualify for funding if it otherwise meets the requirements of § 100a.12 and if it comports with the nature of consumers' education as imparting skills, attitudes and understandings necessary for rational consumer decision-making and not merely consumer information.

16. *Comment.* Two commenters suggested the addition of pre-school and early primary school children to the list of groups with special needs which are accorded priority status under § 100a.4 (c) (2) (iii). One identified the 3-5 age group as forming a major market for the toys and games industries, and the second cited the 5-8 age group as being especially accepting of television commercials and influencing numerous purchases.

Response. No change has been made in the regulation. The needs of pre-school and early primary children can be effectively addressed in community consumers' education programs, which ought to provide consumers' education activities for the children themselves and for their parents. In addition, priority is given to training for educational and noneducational personnel serving at the elementary school level or in community programs.

§ 100a.6 *Eligible applicants.*

17. *Comment.* Three comments questioned whether schools operated by the Bureau of Indian Affairs (BIA) or by nonprofit organizations of Indian tribes would be eligible to apply for awards under the Consumers' Education Program.

Response. The authorizing statute for the Consumers' Education Program, section 811 of the Elementary and Secondary Education Act (ESEA), authorizes awards to institutions of higher education, State and local educational agencies (SEAs and LEAs), and other public and private agencies, organizations, and institutions (including libraries). In section 811(b) (1) (B) (iii), the statute provides that funds "shall be available for such activities as—in the case of grants to State and local educational agencies and institutions of higher education, for the support of education programs at the elementary and secondary and higher education levels."

Schools operated by the BIA would not be eligible for awards under this language because the Commissioner does not understand the term, "public agency" to encompass agencies of the Federal Government. Separate Federal appropriations are made for educational programs at BIA schools, and where Congress has intended to include such schools as eligible under categorical grant programs, it has done so by express reference to BIA schools in the statute.

On the other hand, schools operated by nonprofit organizations of Indian tribes are eligible under this language to receive grant awards under the program, except with regard to (1) projects which support education programs at the elementary and secondary level, with respect to which the statute would appear to limit eligibility to LEAs and SEAs and (2) projects which support education programs at the higher education level, with respect to which the statute would appear to limit eligibility to institutions of higher education.

The terms "local educational agency" and "State educational agency" are defined for purposes of the Consumers' Education Program in section 801 of the ESEA (20 U.S.C. 881 (f), (h)). In other programs authorizing awards to "local educational agencies" and "State educational agencies," including Title VII of the ESEA, Congress has expressly designated BIA and Indian-controlled schools as eligible where it intended them to be included. This indicates that Congress does not understand the terms "local educational agency" or "State educational agency" without more specific language to include BIA or Indian-controlled schools. Therefore, the statutory language in section 811 of the Elementary and Secondary Education Act which appears to limit eligibility for projects supporting education programs at the elementary and secondary levels to LEAs and SEAs would exclude BIA and Indian-controlled schools from eligibility for such projects.

On the other hand, it should be emphasized that Indian-controlled schools are eligible for all other projects authorized by the statute and regulation, including the priority activities of community consumers' education programs (which may include activities for elementary and secondary level students), in-service training and pre-service training for educational and non-educational personnel at the elementary and secondary school levels and in community consumers' education programs, curricular or materials development for Indians, and the development of non-elementary or secondary school programs for Indians.

It should also be noted that the regulation establishes an overall priority for grant applications to develop programs, curricula, or materials designed to provide consumers' education to Indians (and/or to other groups of persons with special educational needs in the area of consumers' education).

18. *Comment.* A commenter asked whether postsecondary vocational technical schools were eligible for funding under the proposed rules.

Response. A public or private nonprofit postsecondary vocational technical school would generally qualify for grant awards. Such a school would qualify for grants for demonstration or pilot programs at the higher education level if it satisfied the definition of an "institution of higher education" contained in

Section 801(a) of the Elementary and Secondary Education Act, 20 U.S.C. 881 (a). A postsecondary vocational school may qualify for a contract award under § 160e.6(a)(1) as either a non-profit or profit-making enterprise.

19. *Comment.* One commenter urged that commercial firms in the field of education, such as educational publishers, be added to the eligibility list.

Response. No change has been made in the regulation. The legislation upon which this regulation is based does not authorize grants to commercial firms. However, the Commissioner may award procurement contracts to profit making enterprises, as reflected in § 160e.6(c)(1).

§ 160e.7 *State review of local educational agency applications.*

20. *Comment.* A commenter suggested amending § 160e.7 to require the Commissioner to notify State educational agencies of proposals which have been funded within their respective States.

Response. No change has been made in the regulation. The Commissioner does intend to provide the subject notification to the State educational agencies, but does not believe that a regulation provision on this would be appropriate.

21. *Comment.* A commenter suggested that § 160e.7(b), which states that a local educational agency must provide a copy of its application to the appropriate State educational agency concurrently with its submission to the Commissioner, be amended to provide for submission to the State educational agency 15 days prior to submission to the Commissioner. The purpose is to provide the State educational agency more time for review.

Response. No change has been made in the regulation. There is no requirement that State educational agencies submit their recommendations on applications by the same closing date for applicants to submit their applications to the Commissioner. If a separate cut-off date is established for State comments to be received by the Commissioner, it will afford the State educational agencies sufficient time for review and comment on the applications.

22. *Comment.* One commenter expressed concern with regard to § 160e.7 (d)(1) and (2) which encourage State educational agencies to solicit views from diverse community groups in the area proposed to be served by the local educational agency submitting an application for review. The commenter found this to be impractical.

Response. Section 160e.7(d) has been deleted in accordance with the comment.

23. *Comment.* One commenter had difficulty distinguishing between § 160e.9 (a)(1)(i) and § 160e.9(a)(1)(iii) of the general evaluation criteria.

Response. Section 160e.9(a)(1)(i) addresses the experience of personnel conducting the program, (i.e., the project director and staff) while § 160e.9(a)(1)(ii) is concerned with the experience and qualifications of the institution or organization proposing to implement the specific types of activities being proposed.

24. *Comment.* One commenter felt that the evaluation criteria in the proposed regulation, in § 160e.9(a)(1)(ii), gave too little weight to the extent and quality of the applicant's experience in consumers' education. The commenter urged that existing organizations with a history of consumer education activities be given preference.

Response. No change has been made in the regulation. Substantial weight (30 points) is given to the aggregate personnel and institutional experience and capacity of the applicant agency in § 160e.9 (a)(1). These are appropriate indicators, among others, of the chances for funding the best quality projects. At the same time, it must be emphasized that the Consumers' Education Program is not intended to provide institutional support solely for ongoing agencies and established organizations, and it would not be appropriate to confer any additional specific preference for existing organizations with a history of consumers' education experience.

§§ *160e.12, 13, and 15.*

25. *Comment.* Two commenters recommended deletion of the requirements in §§ 160e.11(b)(3), 160e.12(f)(2), and 160e.13(d)(2), respectively, that applicants consult themselves to continuation of activities supported under a grant after the expiration of Federal funding.

Response. In accordance with the comments, the requirements that activities funded under this program be continued after the expiration of Federal funding are eliminated. While it is hoped that activities can be continued for the communities originally served, the Commissioner agrees that a required commitment is inappropriate.

§ 160e.14 *Review of curricula and materials.*

26. *Comment.* One commenter recommended an amendment to § 160e.14 to require the Commissioner to act within 60 days on requests for review and approval of curricula or materials prior to their dissemination.

Response. The Commissioner intends to review and act upon such requests as expeditiously as possible but believes that a regulation provision on this would be inappropriate.

B. *Adoption of Regulation.* Accordingly, Part 160e of Title 45 of the Code of Federal Regulations is adopted to read as set forth below.

C. *Effective date.* Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232 (d)), these regulations have been transmitted to the Congress concurrently with the publication of this document in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

(Catalog of Federal Domestic Assistance Number 13.966, Consumers' Education Program.)

Dated: April 15, 1976.

WILLIAM F. PIERCE,
Acting U.S. Commissioner of Education.

Approved: May 18, 1976.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

Sec.
160e.1 Purpose and scope.
160e.2 Definitions.
160e.3 Nature of consumers' education.
160e.4 Types of projects; funding priorities.
160e.5 Duration of projects.
160e.6 Eligible applicants.
160e.7 State review of local educational agency applications.
160e.8 Application and proposal requirements.
160e.9 General evaluation criteria for awards.
160e.10 Program, curriculum, and materials assessment.
160e.11 Consumers' education resource centers.
160e.12 Community consumers' education projects.
160e.13 Training projects.
160e.14 Review of curricula and materials.
160e.15 Federal share of projects.
160e.16 Allowable costs.

AUTHORITY: Sec. 812, the Elementary and Secondary Education Act of 1965, as enacted by section 505 of the Education Amendments of 1972, Pub. L. 92-318, and as amended (20 U.S.C. 887d).

§ 160e.1 *Purpose and scope.*

(a) *Scope.* The regulations in this part govern projects awarded with funds appropriated pursuant to section 811 of the Elementary and Secondary Education Act of 1965, as amended, or with funds made available for purposes of the consumers' education program, as provided in section 811 of the Elementary and Secondary Education Act, as amended, pursuant to the Special Projects Act, as enacted by section 402 of Pubr. L. 93-380.

(20 U.S.C. 887d, 1881j)

(b) *Purpose.* The purpose of this part is to award grants and contracts for activities designed to support:

(1) The development, demonstration, evaluation, and dissemination of new and improved curricula in consumers' education;

(2) The initiation and expansion of consumers' education programs at the elementary, secondary, community, adult, and higher education levels;

(3) The training of teachers, other educational and public service personnel, community and labor leaders and employees, and government employees at the Federal, State and local levels in consumers' education; and

(4) Activities designed to provide consumers' education to the general public.

(20 U.S.C. 887d note)

(c) *Other pertinent regulations.*—(1) *Grant awards.* Grant awards under the part are subject to applicable provisions contained in:

(1) Subchapter A of this chapter (relating to fiscal, administrative, property management, and other matters), contained in Parts 100, 100a of this chapter and

(2) Part 100 of this chapter relating to the Special Projects Act.

(3) Contract awards. Contract awards under this part are subject to applicable provisions contained in:

(i) 41 CFR Chapters 1 and 3 and (ii) Part 100 of this chapter relating to the Special Projects Act.

(20 U.S.C. 887d)

§ 100a.3 Definitions.

As used in this part:

"Act" means section 811 of the Elementary and Secondary Education Act of 1965, as enacted by section 505 of the Education Amendments of 1972, Pub. L. 92-318, and as amended.

"Community consumer education program" means a program designed to provide consumers' education to the general public in one or more communities, as described in § 100a.12.

"Long-term training" means training for individual participants lasting one academic year or more.

"Short-term training" means training for individual participants lasting less than an academic year.

(20 U.S.C. 887d)

§ 100a.3 Nature of consumers' education.

Consumers' education programs, curricula, or materials funded under this part:

(a) Must be designed to prepare consumers for participation in the marketplace (including their relationship to governmental regulatory processes and to public utilities) by imparting the understandings, attitudes, and skills which will enable persons to make rational and intelligent consumer decisions in the light of their personal values, their recognition of marketplace alternatives, and social, economic, and ecological considerations;

(20 U.S.C. 887d note).

(b) Must be problem- and issue-oriented and may involve interdisciplinary educational approaches;

(20 U.S.C. 887d (b) (1) (B) (i))

(c) May include, but need not be limited to, education in one or more of the following areas:

(1) Basic economics of the marketplace;

(2) Legal rights, redress, and consumer laws;

(3) Financial management and credit;

(4) Energy consumption and conservation, and public utilities;

(5) Major purchases (such as food, auto, insurance, medicine, housing);

(6) Special problems such as advertising and product safety;

(7) Federal assistance and services such as medicare, social security, and medicaid;

(8) Consumer representation; and

(9) Governmental regulatory processes in relationship to individuals and business.

(S. Rep. No. 940, 92d Cong. 1st Sess. 114 (1971); S. Rep. No. 769, 93d Cong. 2nd Sess. 77 (1974))

(d) Must be designed to prepare consumers for participation in the marketplace, rather than to prepare persons for employment in areas such as are described in paragraph (c) of this section; except that consumers' education programs or curricula may be designed to train teachers, other educational and public service personnel, community and labor leaders and employees, and government employees to plan, organize, implement, and teach in programs to prepare consumers for participation in the marketplace;

(20 U.S.C. 887d)

(e) Must provide for inclusion of bilingual educational activities and materials when the target population to be served directly by the project or to be benefited by the approaches or products developed by the project include a substantial number of persons whose dominant language is other than English; and

(20 U.S.C. 887d (b) (1) (B))

(f) (1) (i) Must contribute to capacity-building in the area of consumers' education, by producing exemplary results and/or products to be utilized by organizations, agencies, and individuals other than the award recipient, and thereby be have a substantial national impact in providing consumers' education to the public; and

(ii) Must not be designed to benefit only particular organizations, agencies, or individuals.

(2) Compliance with the requirements of paragraph (f) (1) (i) of this section must be reflected in the application or proposal:

(i) In the stated objectives and outcomes,

(ii) By the attention to planning, quality controls, and evaluation, and

(iii) By the emphasis on dissemination and utilization procedures.

(3) The cost to organizations, agencies, and individuals other than the award recipient of obtaining and using products developed under projects supported under this part may not be on a scale which would inhibit extensive utilization and replication of the products.

(20 U.S.C. 887d (b) (1) (C) (ii))

§ 100a.4 Types of projects; funding priorities.

(a) The Commissioner will consider making grant and contract awards under this part to support research, demonstrations, and pilot projects designed to provide consumers' education to the public, including such activities as:

(1) Research, testing, and dissemination with respect to curricula and materials in consumers' education;

(2) The establishment of new, or the expansion of existing, pilot or demonstration consumers' education programs in elementary and secondary schools, institutions of higher education, adult education centers, or in community programs potentially serving persons of all ages within the community;

(3) Short-term pre-service and in-service training programs designed to prepare teachers, other educational and public service personnel, community and labor leaders and employees, and government employees to plan, organize, and implement consumers' education programs or to teach in subject matter areas associated with consumers' education;

(4) Projects designed to demonstrate, test, and evaluate the effectiveness of activities described in paragraphs (a) (1) through (3) of this section, whether or not these activities are assisted under this part;

(5) The dissemination of information and the provision of developmental and technical assistance to agencies and organizations planning, developing, and carrying out consumers' education programs; and

(6) The preparation and distribution of consumers' education materials by mass media.

(20 U.S.C. 887d (b) (1) (B), 887d note)

(b) Long-term training and fellowship programs will not be funded pursuant to this part.

(c) In implementing activities authorized by the Act and described in paragraph (a) of this section, the Commissioner will:

(1) Solicit proposals for, and make awards of, procurement contracts:

(i) To prepare and distribute consumers' education materials by mass media;

(ii) To identify, evaluate, and disseminate effective consumers' education programs, curricula, and materials on the community, elementary, secondary, or higher education levels, as described in § 100a.10;

(iii) To establish and maintain resource centers in consumers' education which would collect, assess, and provide information on consumers' education research and activities and provide technical assistance to agencies, institutions, and groups interested in establishing, expanding, or improving program activities in consumers' education, as described in § 100a.11; and

(iv) In any other areas of consumers' education where the Commissioner determines that specific procurements would further the purposes of the Act, as described in § 100a.1(b).

(2) Accord priority to grant applications to:

(i) Develop and carry out model community education projects in consumers' education which have the potential for providing consumers' education to all age groups in a community or community, as described in § 100a.12;

(ii) Provide short-term pre-service or in-service training for teachers and other educational and non-educational personnel at the elementary and secondary school levels and in community con-

sumers' education programs to prepare them to plan, organize, and implement consumers' education programs or to teach in subject matter areas associated with consumers' education, as described in § 160a.12; or

(iii) Develop programs, curricula, or materials designed to provide consumers' education to groups of persons with special educational needs in the area of consumers' education, including older persons, Indians, persons of low-income families, and persons of limited English-speaking ability. Grant applications within one of the priority areas described in paragraph (a)(2)(i) and (ii) of this section will be given special priority if they are also designed to provide consumers' education to groups with special educational needs in the area of consumers' education.

(d) Any project described in this section may include a research component as necessary.

(20 U.S.C. 2976, 2976, note)

§ 160a.5 *Duration of projects.*

(a) While grant applications may be filed proposing multiyear projects, it is expected that a substantial proportion of projects funded by the Commissioner in any fiscal year will have a project duration of only one year.

(b) Applications proposing multi-year projects must be accompanied by an explanation of the need for multi-year support, an overview of the objectives and activities proposed, and budget estimates to attain these objectives in any proposed subsequent year.

(c) If the application demonstrates to the Commissioner's satisfaction that multi-year support is needed to carry out the proposed project, the Commissioner may, in the initial notification of grant award for the project, indicate an intention to assist the project on an appropriate multi-year basis through continuation grants.

(d) Continuation awards may be made for projects described in paragraph (a) of this section subject to the availability of funds and to the following provisions:

(1) Continuation applications will not be competitive with applications for new grant awards, but will be competitive with other applications for continuation awards; and

(2) Applications for continuation awards will be reviewed to determine:

(i) If the grantee has complied with the grant terms and conditions, the Act, and applicable regulations;

(ii) The project's effectiveness to-date;

(iii) The extent to which the project is meeting applicable priorities; and

(iv) The extent to which continuation of Federal assistance to the project is in the best interests of the Government.

(20 U.S.C. 1221e-3(a)(1), 2976).

§ 160a.6 *Eligible applicants.*

Institutions of higher education, State and local educational agencies, and other public and private agencies, organizations, and institutions (including libraries) are eligible to receive grant and contract awards pursuant to this part, except that:

(a) No grant may be made other than to a non-profit agency, organization, or institution;

(b) Grants for demonstration or pilot programs at the elementary and secondary levels may be made only to State educational agencies and local educational agencies; and

(c) Grants for demonstration or pilot programs at the higher education level may be made only to institutions of higher education.

(20 U.S.C. 2976(b)(3)(A), 2976(b)(1)(B)(iii))

§ 160a.7 *State review of local educational agency applications.*

(a) The Commissioner will not approve an application submitted by a local educational agency under this part unless the State educational agency of the State in which that local educational agency is located has been given an opportunity to review and make recommendations on the application.

(b) A local educational agency must provide a copy of its application to the appropriate State educational agency concurrently with its submission of the application to the Commissioner.

(c) The Commissioner may establish a cut-off for submission of comments by State educational agencies on local educational agency applications. If the Commissioner establishes a cut-off date for submission of comments, failure by a State educational agency to submit comments to the Commissioner within the period specified shall be deemed a waiver of the State educational agency's opportunity to comment.

(20 U.S.C. 2976(b)(1)(C))

§ 160a.8 *Application and proposal requirements.*

(a) *Submission.* A grant or a contract under this part will be awarded only upon a grant application (in accordance with § 100a.40 of this chapter) or a contract proposal submitted to the Commissioner.

(b) *Acceptable applications or proposals.* (1) (i) Grant applications will be accepted for review only if they are filed in response to a notice of closing date published in the FEDERAL REGISTER in accordance with § 100a.15 of this chapter concerning application submissions to the Commissioner.

(ii) Contract proposals will be accepted for review only if they are filed in response to a solicitation of proposals in accordance with the provisions of 41 CFR Chapters 1 and 3.

(2) An eligible applicant must file a single and separate application or proposal for each subparagraph of § 160a.4 (c) under which it seeks an award.

(3) Applicants are encouraged not to submit lengthy appendices or exhibits with their application or proposal.

(c) *Requirements.* An application or proposal under this part must.

(1) *Nature and purpose.* Provide sufficient information to satisfy the Commissioner that the proposed project holds promise of making a substantial contribution to the purpose of providing consumers' education to the public and will comply with the provisions of § 160a.3;

(2) *Applicant qualifications.* Contain sufficient information about the applicant to enable the Commissioner to determine its qualifications for receiving an award, including information about.

(i) The applicant's experience in the area of consumers' education and the specific types of activities to be carried out under the proposed project (such as teacher training, materials development, and other activities);

(ii) The proposed staff, including their education, training, awards, publications, and experience in consumers' education and in the specific types of activities under the proposed project, and existing or planned commitments to other projects; and

(iii) Available facilities and other resources for the project;

(3) *Need and impact.* (i) Identify the need to be addressed by the proposed project and supply relevant documentation of that need. Where a general area of need has been set forth in this part or in contract specifications, the application or proposal must go beyond a general exposition of need to identify and document specific areas of need which the proposed project would address;

(ii) Specify the nature of the output, product, or final results of the proposed project;

(iii) Document how the project will contribute to capacity-building in the area of consumers' education as described in § 160a.3(f) including a description of likely users of the results, processes, and products of the project, and rough projections of the financial cost to others of implementing or using the products; and

(iv) Describe validation, dissemination, and utilization procedures to be used in the proposed project;

(4) *Plan of operation.* (i) Provide that all activities and services for which an award is sought will be administered by, or under the supervision of, the applicant;

(ii) Describe:

(A) Project objectives which state specific outcomes for the project;

(B) A project evaluation design which includes both product and process analysis to measure the extent to which the objectives are accomplished by the project;

(C) A budget, including that portion of the project to be contributed by the applicant; and

(D) A management design which:

(1) Includes objectives, operational activities, schedules, resources, products, and references to the evaluation design;

(2) Provides for the necessary fiscal control and fund accounting procedures to assure proper disbursement of and accounting for Federal funds paid to the applicant under this part; and

(3) Provides for making an annual report and such other reports, in a form and containing such information, as the Commissioner may reasonably require and for keeping records, and affording

forms thereto as the Commissioner may find necessary to assure the correctness and verification of these reports; and

(iii) The evaluation and management design need not be capable of being implemented instantly, but must be sufficiently described to indicate the approach, status of planning, methodology, extent of experience in the development and use of these designs, and need for procuring outside expertise;

(5) *Supplementary nature of projects.* Set forth policies and procedures which assure that Federal funds made available under this part for any fiscal year will be used to supplement and, to the extent practical, increase the level of funds that would, in the absence of these Federal funds, be made available by the applicant for the purposes described in this part and in no case supplant these funds; and

(6) *Additional information.* Applications or proposals must include other information responsive to applicable criteria and other provisions set forth in §§ 160e.9 through 160e.13, as applicable or to the specific criteria and other provisions contained in specifications for contract proposals.

(20 U.S.C. 887d(b)(1)(C), 887d(c))

§ 160e.9 General evaluation criteria for awards.

(a) *Applicable criteria.* All applications for grants and proposals for contracts which meet the requirements in § 160e.8 will be evaluated on the basis of the following criteria, weighted according to the indicated points (maximum of 110 points):

(1) *Applicant qualifications.* (30 points) (i) The qualifications of the project director and staff, including demonstrated experience of high quality in the area of consumers' education and in the specific types of activities to be carried out under the project as evidenced in the application (10 points);

(ii) The extent and quality of the applicant's experience in the area of consumers' education and in the specific types of activities to be carried out under the project as evidenced in the application (10 points); and

(iii) The extent to which the applicant has the capability to conduct the proposed project, including necessary facilities and resources as evidenced in the application (10 points);

(2) *Need and impact.* (40 points) (i) The proposed project is likely to make a substantial qualitative contribution toward attaining the provision of consumers' education for the public and, to this end, clearly identifies the need to be addressed and specifies the substantive nature of the output, product, or final results of the proposed project (10 points);

(ii) The intended results of the proposed project can be used by others, and thus the application specifies well-designed validation, dissemination, and utilization procedures (10 points);

(iii) The project focuses on learning processes, as well as substantive content, with attention to such program aspects as student motivation, sequential lessons, and learning problems (10 points); and

(iv) The project involves new or improved techniques and materials which are sufficiently exemplary to be replicated by others (10 points).

(3) *Plan of operation.* (40 points) (i) The application sharply defines and clearly states objectives for the proposed project which can be achieved by the proposed procedures and can be assessed upon attainment (10 points);

(ii) The application ensures adequate evaluation of the activities through the description of a project evaluation design which would include both process and product analysis and would describe an eventual evaluation report to include sufficient data, information, and direction to permit and encourage replication (10 points);

(iii) The quality of the proposed management design that includes objectives, operational activities, schedules (including the amount of time to be spent on the project by the named proposed staff members), resources, products, and references to the project evaluation design (10 points); and

(iv) The application presents a budget that is reasonable in relation to anticipated results and reflects the management design. (10 points).

(b) *General provisions criteria.* Evaluation criteria set forth in § 100a.26(b) of this chapter will not apply to applications or proposals submitted under this part.

(20 U.S.C. 887d(b), 887d note)

§ 160e.10 Program, curriculum, and materials assessment.

(a) *Nature of projects.* Procurement contracts under this section will be for:

(1) A systematic search for and identification of effective programs, curricula, or materials in consumers' education designed for use in elementary and secondary schools, community consumers' education programs, adult education programs, or institutions of higher education;

(2) Final validation of the apparent success of these programs, curricula, and materials based on learning outcome measures, such as student test scores, and input measures, such as the resource requirements needed to achieve these measurable results (which may include a trial replication of the use of the programs, curricula, or materials through a field test in one or a limited number of additional sites); and

(3) Dissemination of information about the programs, curricula, and materials found to be effective.

(b) *Approaches to consumers education.* Consumers' education programs, curricula, or materials to be identified, validated, and disseminated under this section may be interdisciplinary and may involve either a comprehensive approach to consumers' education or a limited program in one or more specific subjects related to consumers' education, such as are described in § 160e.3(c).

(c) *Proposal requirements.* A proposal for a contract under this section must specify:

(1) The nature and substantive areas of the programs, curricula, or materials to be identified, validated, and disseminated;

(2) The potential uses and users of these programs, curricula, or materials;

(3) The results of a preliminary assessment by the applicant of available programs, curricula, or materials and of the need for high quality programs, curricula, or materials in the proposed areas of concentration;

(4) Procedures and arrangements for searching out, validating, and disseminating information on the programs, curricula, or materials;

(5) Criteria for selecting and testing effective programs, curricula, or materials; and

(6) Plans for selecting a limited number of the most successful programs, curricula, or materials for dissemination.

(d) *Multiplier effect.* Programs, curricula, or materials to be identified and validated under this section must be designed to be available for use by potential users at relatively low cost and without substantial dependence on consultative assistance.

(e) *Evaluation criteria.* Proposals for contracts under this section will be selected on the basis of (1) the criteria set forth in § 160e.9 (which will be weighted 110 points) and (2) the quality of the plan for identification, validation, and dissemination of information on the programs, curricula, or materials, including the applicants' access to existing networks of potential users, as well as access to a delivery system which is not dependent on external funding and would consequently operate after the expiration of support pursuant to this section (weighted 5 points).

(20 U.S.C. 887d(b)(1)(B)(i) & (ii))

§ 160e.11 Consumers' education resource centers.

(a) *Purpose.* Procurement contracts under this section will have the purpose of establishing resource centers which will:

(1) Provide technical assistance, information, and informal short-term training to agencies, institutions, and community groups in the development and carrying out of consumers' education programs, and

(2) Collect and disseminate information on research related to consumers' education and on effective consumers' education programs.

(b) *Application requirements.* Proposals under this section must meet the requirements in § 160e.8 and:

(1) Provide a general description of existing activities of the applicant related to consumers' education, facilities and resources available for these activities, institutions and programs which benefit from its activities, and the extent to which its present experience will contribute to the effectiveness of the proposed project;

(2) Name agencies and institutions to be served by the proposed project and indicate the general scope of services to

be provided to each agency and the technical assistance, training, and information needs of recipient agencies and how the project will respond to these needs.

(c) *Number of awards.* It is expected that a very limited number of contracts will be awarded pursuant to this section.

(20 U.S.C. 887d)

§ 160e.12 Community consumers' education projects.

(a) *Purpose.* Grants under this section will be for the purpose of planning, establishing, expanding, and/or improving model community education projects in consumers' education which are designed to provide consumers' education to the general public in one or more communities.

(b) *Target population.* Community consumers' education programs must have the potential for serving all age groups within the community or communities to be served and must focus on providing consumers' education to persons who are not otherwise served by the regular instructional programs of elementary and secondary schools and institutions of higher education within the community.

(c) *Community involvement.* The program must provide for the active and continuous involvement (1) on an advisory basis and (2) in terms of direct input into project activities, of institutions, groups, and individuals representative of the community or communities to be served, including but not limited to, schools, community groups, and other educational and cultural resources.

(d) *Communities served.* Projects under this section must serve specific and identified communities, but the communities need not be contiguous. For example, a non-profit institution may receive a grant under this section to establish model community consumers' education programs in a number of communities in different parts of the country.

(e) *Approaches to consumers' education.* Programs assisted under this part (1) must include innovative methods, materials, or approaches which are worthy of replication and (2) may involve a comprehensive approach to consumers' education covering a wide range of subject matter areas or may focus on one or more specific areas of consumers' education, such as are described in § 160e.3(c).

(f) *Application requirements.* Applications for grants under this section must meet the application requirements in § 160e.8 and the following additional requirements:

(1) The application must identify the specific areas to be served and which groups of persons in these areas will be benefited by the project; and

(2) The application must document that representative educational and cultural resources of the communities to be served have been involved on an advisory basis in the preparation of the application, including a description of procedures used (such as public notice and hearings) to provide the public at large with an opportunity to have input in the preparation of the application.

(20 U.S.C. 887d(b)(1)(A))

§ 160e.13 Training projects.

(a) *Purpose.* Grants under this section will have the purpose of providing short-term pre-service or in-service training for teachers and other educational and non-educational personnel at the elementary and secondary school levels and in community consumers' education programs to prepare them to plan, organize, and implement consumers' education programs or to teach in subject matter areas associated with consumers' education, such as those described in § 160e.3(c).

(b) *Nature of projects.* (1) The training must be designed to provide skills and understandings with reference to:

(i) A variety of the subject matter areas of consumers' education described in § 160e.3(c);

(ii) With respect to training for teachers of consumers' education: the selection of appropriate consumers' education curricula and materials, the integration of consumers' education into the regular classroom curriculum, the identification and use of resources within and outside of the school which would strengthen consumers' education activities, and the planning and carrying out of lessons and units of instruction in consumers' education which respond to the needs and interests of the students; and

(iii) With respect to training for educational and non-educational personnel responsible for planning, organizing, and implementing overall consumers' education programs: The involvement of appropriate public and private community resources in the planning and carrying out of consumers' education programs and knowledge of other consumers' education programs of an exemplary nature.

(2) The training must be short-term, and in-service training assisted under this section must be offered at times and in a manner to allow participation by training recipients on a basis which will cause minimum disruption to the carrying out of their responsibilities in planning, operating, and/or teaching in consumers' education programs.

(3) In-service training activities assisted under this section must be provided for eligible recipients in specific elementary, secondary, or community consumers' education programs on a continuing basis over the course of the grant period, with provisions for follow-up and reinforcement of specific training workshops or exercises.

(4) The development of training materials incidental to carrying out the project activities may be included in grants under this section.

(c) *Recipients of training.* Eligible recipients of training under grants awarded pursuant to this section include (1) persons in local educational agencies, State educational agencies, and other public and private non-profit agencies and institutions (including libraries) involved in the planning, administration, and/or teaching of consumers' education programs, including the chief executive officer of the State educational agency or local educational agency, leaders, coordinators, administrators, and other staff of consumers' education programs, and members of the community assisting in the planning and carrying out of these programs and (2) persons who are preparing to undertake these responsibilities.

(d) *Application requirements.* In addition to meeting the requirements of § 160e.8, applications for grants under this section must:

(1) Include a description of proposed workshops, conferences, seminars, or courses, including their locations, number of sessions planned, and approximate number of trainees;

(2) Provide a general description of any existing training activities of the applicant related to consumers' education, facilities and resources available for these activities, institutions and programs which benefit from its training activities, and the extent to which its present experience will contribute to the effectiveness of the proposed project;

(3) Name each agency or institution to be served by the proposed training project and indicate the general scope of services to be provided to each agency, the officials or groups to receive the training and how they will be selected, and the skill or competency needs of recipient agencies and how the project will respond to these needs; and

(4) Include a letter of commitment from each local educational agency, State educational agency, or other agency or institution to be served by the project, indicating its intention to participate in the project and certifying its need for the services which the application proposes to provide to it.

(e) *Evaluation criteria.* The Commissioner, in determining whether to approve an application for a grant under this section, will consider the criteria set forth in § 160e.9 (which will be weighted 110 points) and the following criteria weighted as indicated:

(1) The application reflects a knowledge of training needs in consumers' education, with specific reference to any agencies and institutions to be served in the project, and provides for responding to these needs (3 points);

(2) The proposed project is likely to build the capacity of the grantee to serve as a training resource for local educational agencies, State educational agencies, and other public and private non-profit agencies and institutions planning or carrying out consumers' education programs (3 points);

(3) The number of agencies and institutions to participate directly in, or benefit indirectly from, the proposed project (3 points); and

(4) Training provided by the project is likely to form a foundation from which training participants may pursue

long-term or formal degree training if they so desire (3 points).

(20 U.S.C. 887d(b)(1)(B)(iv))

§ 160a.14 Review of curricula and materials.

(a) Projects funded under this part which are designed to develop, validate, and/or disseminate curricula and materials in consumers' education shall be subject to the condition that the contractor or grantee may not disseminate the curricula or materials until they have been reviewed and approved for dissemination by the Commissioner.

(b) In carrying out this section, the Commissioner will review curricula and materials for evidence of effectiveness and to ensure that they are non-discriminatory on the basis of race, sex, and age.

(20 U.S.C. 887d)

§ 160a.15 Federal share of projects.

(a) For the purposes of funding grants and contracts under this part, the Federal share of the eligible costs of a project, including the costs of project administration, shall be determined as follows:

(1) Except as provided in paragraph (a)(2) of this section, Federal support under this part will be available to pay all or part of the eligible project costs.

(2) The Federal share will be no more than 80 percent of eligible project costs for projects which involve curriculum development or dissemination of curricular materials or which have the primary purpose to evaluate consumers' education activities whether or not assisted under this part.

(b) Contributions in kind are acceptable as applicant contributions to project costs.

(20 U.S.C. 887d(b)(2))

§ 160a.16 Allowable costs.

(a) *General.* Allowable costs under projects to which funds are awarded pursuant to this part shall be determined in accordance with the cost principles provided for under Subpart G of Part 100a of this chapter.

(b) *Costs of short-term training components.* (1) Projects under § 160a.13 which are designed to provide in-service training may include in the grant a provision for payments to teachers, administrators, and other educational and non-educational personnel who receive this training and are not otherwise compensated for their time while receiving training.

(2)(i) Except as provided under paragraph (b)(1)(ii) of this section, payments under this subparagraph will be at the rate of $30 for each full day of training, up to $150 per week. If a day of training involves less than five hours, the payments for attendance will be at the rate of $6 per hour, subject to the weekly limit of $150.

(ii) Where the personnel participating in the training are ordinarily paid for their work at a salary scale determined by a collective bargaining agreement in which the minimum hourly rate for any individual is more than $6 per hour, the individual would be compensated at the minimum hourly rate provided under the collective bargaining agreement.

(3) Where a local educational agency or other educational agency or institution compensates teachers or other personnel whom it employs for their time in receiving training under this paragraph and must also hire a substitute for a participant in the training, reimbursement may be made under the grant which includes the training component to the local educational agency or other educational agency or institution for the costs of hiring the substitute.

(20 U.S.C. 887d(b))

[FR Doc.70-15080 Filed 5-21-70;8:45 am]

APPENDIX 10-B

SELECTED INFORMATION ON CONSUMERS' EDUCATION FROM THE U.S. OFFICE OF EDUCATION

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

U.S. Office of Education

Office of Consumers' Education

SOME QUESTIONS AND ANSWERS ABOUT THE CONSUMERS' EDUCATION PROGRAM

What is Consumers' Education? As defined by the Office of Education, it is an effort to impart the skills and understandings that will prepare consumers to participate intelligently in the marketplace and in the economy. It educates people to recognize marketplace alternatives and make rational choices in light of their personal values, their citizenship responsibilities, and social, economic, and ecological considerations.

Why Is a Federal Consumers' Education Program Needed? While the schools and other social institutions prepare individuals to function in many roles, the Congress has determined "that there do not exist adequate resources for educating and informing consumers about their role as participants in the marketplace." (From Public Law 92-318 which establishes an Office of Consumers' Education.) As natural resources dwindle, as we move from an industrial-to a service-based economy, as the consumer becomes responsible for a growing share of the Gross National Product, consumer behavior shapes not only the life style of individuals and families, it influences the national way of life.

How Does This Program Differ from the Consumers' Education Some of Us Received in the Past? School offering were once limited to consumers' education as it related to homemaking, business education, or industrial arts. More recently, money management, credit, and similar subjects have been included. While such topics remain vital to consumers' education, this program expands the concept to cover areas that affect all types of consumers and consumer functions.

What Are Some of the New Concerns? High on the list are the consumption of human services such as health, welfare, and education itself; of civic services such as transportation; of needs such as housing, public utilities, and natural resources such as energy. Also included are consumer rights, forms of redress, consumer responsibilities, and consumer influence on decision-making agencies.

What Is the Function of the Office of Consumers' Education? It administers the Consumers' Education Program, awarding grants and contracts to support activities designed to educate consumers of all ages.

Who May Apply for a Grant? There are four eligible applicants: local school systems, State departments of education, institutions of higher education (including community colleges), and public and private non-profit agencies.

How Does One Apply for a Grant? The first step is to send for an application packet. Address requests to: Office of Consumers' Education, U.S. Office of Education.

What Are the Duration of Grants? Twelve months. The regulations, however, do provide for multi-year projects provided the first year activities meet all of the criteria for a one-year grant. The initial application must be accompanied by an explanation of the need for multi-year support and must include an overview of future year objectives along with budget estimates. When originally submitted, such applications compete with all other applications for funds. After the first year, they compete only with other multi-year applications. To date, no multi-year awards have been granted. It should be remembered that the legislative authority for the Consumers' Education Program expires after the 1978 cycle and all funding is dependent upon a renewal of the legislation.

Must Activities Be Conducted by Recognized Educational Institutions Such as Schools or Colleges? No. The program provides for activities developed and conducted by community, regional, or national groups. In the past, grants have been awarded to community action agencies, unions, local offices of consumer affairs, legal rights groups, and consumer advocacy agencies. These are in addition to traditional institutions of education.

-II-

May Projects Be Carried Out Jointly By More than One Institution? Yes, but one organization must be named as the legal recipient and must serve as the fiscal agent.

How Are Applications Judged? They are evaluated on the basis of criteria set forth in the Federal Register and are scored according to the published point system. Panel members reviewing the proposals are drawn from both inside and outside the Federal Service and are selected for their expertise in the field and, where possible, for their experience in evaluating proposals.

Must Applications Be Reviewed by the States? If they are submitted by a local education agency, they must be reviewed by the State education agency. Such review does not constitute approval or disapproval for the final funding decision.

Do Proposals for Specific Kinds of Activities Receive Priority Consideration? Yes, priorities are listed in the Regulations published in the Federal Register. This does not mean that other activities deemed productive will be ruled out.

Must an Applicant Have Special Qualifications? The applicant should have (and so indicate in his proposal) experience in consumer education and in the types of activities he proposes to engage in, such as teacher training or the development of materials. There must also be proof of a qualified staff, adequate facilities, and resources and management skills necessary to achieve stated goals.

Must the Project Be New? No. support for projects which have been started with or without Federal funds will be considered provided there is promise of a substantial contribution toward educating the public in consumer education. As in all projects, the potential for capacity building and replication is important.

Must the Project Be On a National Scale? It may be, but if it is a local project, it must have the potential for serving as a model.

When Are Applicants Notified That Their Proposals Have Been Accepted or Rejected? They must be notified by September 30, the end of the fiscal year in which they submitted their proposals. Every effort is made to notify applicants earlier.

-III-

How Much Federal Money Is Presently Available for the Program?
$3.135 million.

What Is the Difference Between a Contract and Grant? The government awards a contract when it wants a specific job done for itself such as the testing of materials, the evaluation of a program, or the maintenance of a resource center. An RFP (request for proposal) is solicited through the Commerce Business Daily, published by the Department of Commerce. After responses are evaluated, only one contractor is selected to perform the requested service. A grant, on the other hand, is an obligation of funds to support a project the grantee himself proposes as necessary or useful to carry out the intent of an announced Federal program, such as the training of teachers or the initiation of activities to meet the consumer education needs of persons with a poor comprehension of English. The applicant for the grant establishes his own goals and procedures for meeting them within the framework of regulations and criteria published in the Federal Register. Within one program, a number of grants may be awarded to meet a variety of related needs.

For further information:

Office of Consumers' Education
U.S. Office of Education
Room 5624, ROB-3
Washington, D.C. 20202

Phone: 202-245-0636

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF EDUCATION

Office of Consumers' Education

Washington, D.C.

ANALYSIS OF CONSUMERS' EDUCATION APPLICATIONS AND FUNDED PROJECTS, FISCAL YEAR 1976

Technical Report No. 1

November 22, 1976

PREFACE

Consumers' Education is a program whose time has come!

In recent years formal and informal education agencies have placed increasing emphasis on consumer education. Directions in consumer problems and issues have led both professionals and citizens to recognize that persons of all ages should be taught lifetime consumer skills and understandings. At the same time States have been studying curriculum needs, providing guidance, and in some cases mandating for local school districts course work dealing with economic and consumer issues. Concurrently, community organizations, service groups, and municipal and county consumer offices have strengthened their efforts in consumer education with a view toward more nearly meeting public needs.

As these trends have become increasingly apparent, consumer education leadership has emerged from these disparate groups and interests. Some groups are organized around institutional structures; some have a professional or association purpose; some have developed around a single consumer issue; some are service oriented. Noticeably lacking are linkages in programming and a national focal point that could provide a multiplier effect, minimize duplication, and contribute to a program quality and meaningfulness. A coordinating effort in the consumer education movement is yet to emerge.

Although the Office of Consumers' Education was established in the Office of Education in 1975, the legislative history for establishing the program starts at an earlier date. The Education Amendments of 1972 (P.L. 92-318) authorized funds for projects, curriculum development, and dissemination of information on consumer education. Also authorized was the appointment of a Director of Consumers' Education in the Office of Education to carry out these provisions. The enabling legislation was passed, but no funds were appropriated to implement the program in fiscal years 1973, 1974, and 1975.

In the Education Amendments of 1974 (P.L. 93-380) consumers' education in the Office of Education received an added Congressional directive when the original legislation was amended to establish an Office of Consumers' Education within the Office of Education. Also in the 1974 legislation consumers' education and other programs were grouped under the Special Projects Act for the purposes of administration and appropriation. This inclusion in the Special Projects Act gives a special direction to the Office of Consumers' Education through use of the following language:

"...to carry out special projects--

"(1) to experiment with new educational and administrative methods, techniques, and practices;
"(2) to meet special or unique educational needs or problems; and
"(3) to place special emphasis on national education priorities."

It is under the Special Projects Act that funds were first appropriated for the Office of Consumers' Education in 1976. Under this authority monies are to be expended for several programs and on a formula basis, the amount for each being determined annually by the Commissioner of Education and reported to the Congress. Programs identified with the Special Projects Act have until September 30, 1978, in which to meet the experimental purposes outlined.

With this legislative history and in view of the challenging developments in consumers' education, the Office of Consumers' Education feels strongly the need for factual information and for an assessment of national interests, competencies and talents. The state of the art, nationwide and in all its diversity, is barely known. As a beginning effort, the Office reviewed the grant applications of 1976 as one means of collecting needed information. This report is a product of that endeavor. While the information has already served a number of program purposes, the primary intent of this report is to provide an understanding and insights regarding program potential as seen through the eyes of 839 grant applicants.

Mary Beth Minden

ANALYSIS OF CONSUMERS' EDUCATION APPLICATIONS AND FUNDED PROJECTS, FY 1976

The Office of Consumers' Education, Office of Education, received 858 applications for grants in fiscal year 1976. Eight hundred thirty-nine applications were found eligible and completed the entire review process. These applications provided the base from which 66 proposals were recommended for funding.

Since 1976 was the first fiscal year for which funds were appropriated for the Office, there was considerable interest in the new program. In anticipation of public and management interests, as well as the need to assess systematically the range of activities, a plan for analysis of all grant applications was developed. This report summarizes insights resulting from this activity and gives a picture of the national participation in this new program.

Sources of Information for This Report

Information was derived from a checklist developed in the Office of Consumers' Education. These were filled out for each of the 839 proposals by 12 individuals who were leaders of teams of readers. Those completing the checklists were given mirimal instructions; definition of terms was left to their discretion. Upon query regarding their experience in using the checklist, the most common response was that, "If you have read and scored a proposal, you have no difficulty in completing the checklist." The Office of Consumers' Education feels comfortable in using the data so derived when large numbers or categories of items are involved. In those cases where items reported were exceedingly small, data have been reviewed to reinforce confidence.

Grant Awards

There are always problems inherent in any evaluation of proposals and selection of grantees. Beyond that, the difficulties encountered by the Office of Consumers' Education in fiscal year 1976 were compounded by the fact that the 839 applicants requested just under $75 million to carry out work proposed. The appropriated funding was 4.1% of that amount, or $3.1 million. Competition was keen.

Sixty-six proposals were funded. This was 7.85% of the applications processed. The recommended funding per project ranged from $4,440 to $130,081, with an average Federal funding per project of $45,448. A non-Federal input to the funded projects was reported by 36 of the 66 applicants (55%) and totaled $602,182. This averaged $16,727 per project for those reporting non-Federal input.

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PART I. THE 839 APPLICATIONS.

Location and Type of Grant Applicants

Geographic Distribution of Applicants. At least one proposal was received from all States plus the District of Columbia, Guam and Puerto Rico. However, the number of submissions per State varied widely, ranging from one proposal each from three States and Guam to 79 proposals from California. Thirteen States plus Guam and Puerto Rico submitted five proposals or less. Of these States, seven were located in the West (five in the Rocky Mountain area), two in the northwestern section of the North Central region, and four in New England. No projects were funded in eight of these thirteen States, nor in Guam or Puerto Rico.

From the standpoint of development of a national program, the few submissions from some States could be indicative of (1) lower interest toward the potential of a consumers education program, (2) minimal manpower to mobilize and conduct a 12 month program, or (3) inadequate time to develop proposals. Hypothesized characteristics held in common by the low submission States appear to be a high incidence of "open countryside" living, an independent nature of the population, and a hesitancy to move rapidly into a new Federal program.

Types of Agencies. Applicant types can be viewed as alternate "delivery systems" for bringing consumer education to the public. The following groups submitted proposals: (1) State education agencies, including intermediate organizational units; (2) local education agencies; (3) institutions of higher education; (4) other public agencies, such as libraries, offices of consumer's affairs, office of attorneys general, correctional institutions, etc; and (5) private non-profit agencies. It was difficult for the readers to distinguish between the latter two categories; therefore the two types were combined and handled as "other public or private non-profit agencies." The number and percent of applications received from each agency type are shown in table 1 below.

Table 1. Types of Agencies Applying for Grants, Office of Consumers' Education, Fiscal Year 1976.

Agency Type	Applicants	
	No.	%
State Education Agency (SEA's)	30	3.5
Local Education Agency (LEA's)	112	13.5
Institutions of Higher Education (IHE's)	273	32.5
Other Public or Private Non-Profit Agency (OPPNA's)	424	50.5
TOTAL	839	100

Although historically the clientele of the Office of Education has been the educator and educational institutions, just over half of the applications for grants came from other public or private non-profit agencies. This means that the Office of Consumers' Education is dealing with two distinct organizational types. The separateness, the lack of program interaction and reinforcement, and the generally differing structures and perspectives of the traditional and non-traditional education organizations are challenges to program development.

Moreover, the review process used to identify proposals recommended for funding sharpened awareness of the dichotomy in orientations of the applicants. Proposals from the traditional education community tended to be more content oriented, to deal more with curriculum development and teacher training, and to focus on development and dissemination of teaching materials. They appeared to feel more comfortable in meeting evaluation requirements.

Proposals from other public and private non-profit agencies tended to approach consumer education in less orthodox ways. At times proposals were quite innovative in their concepts of what comprised consumer education, and they were strong in the use of the market-place as a teaching laboratory. Since these groups more frequently identified target groups having special needs, they also proposed special materials needs and different teaching methods. These observations suggest that an important role for the Office of Consumers' Education will be to develop reinforcing linkages between the education community and other public and private non-profit applicants.

About State Education Agencies. State education agencies (SEA's) in 26 States and Puerto Rico submitted applications; those in New York, Pennsylvania, and Wisconsin submitted two each, for a total of 30 SEA submissions (3.6% of the 839 applications). Intermediate level education agencies were grouped with the SEA's when they were established by and functioned as an arm of the SEA. When not directly responsible to the SEA, an intermediate level education unit (frequently referred to as a within-State Regional Educational Service Agency) was classified as an "other public agency."

If the nation were divided into four sections, roughly the Northeast, North Central, Southern and Western areas, the North Central and Western sections appear to be under-represented in SEA applications, and especially the West.

As might be expected, most of the proposals dealt with training educators, developing curriculum or materials, or addressing the question of resource centers in some manner. Several proposed further development of State plans already underway in consumer education. Five SEA's proposed a community-based program and two outlined a plan to train non-educators.

This group of agencies were generally non-specific as to ethnic or special population characteristics; when a special target population was described, frequently it could be identified easily as a need unique to that State. In terms of education level of a target population, here also the proposals frequently were non-specific. When stated, usually it was the secondary level. Most programs were planned to apply to all geographic areas of the State; if an exception were made, it was in favor of urban areas.

Analysis was also made of the proposed subject matter. This summary is included in a general statement on program thrust and content beginning on page 11.

Four SEA proposals were funded, including one intermediate level unit.

About Local Education Agencies. Local education agencies (LEA's) in 34 States submitted applications; those in four States, California, Michigan, New York and Ohio, totaled 10 or more. These applications (112 in number) made up 13.4% of the proposals received. In general the larger number of submissions per State appeared to reflect a spin-off from State interest in consumer education that was of some duration.

Again, as with SEA's, the major focus was on training educators and materials and on curriculum development. The establishment of local resource centers was proposed by sixteen school districts. Fifteen local districts also proposed training non-educators in consumer education. Eighty-five percent of the LEA proposals gave no indication of a plan to serve special ethnic interests; the remaining 15% identified Spanish surname or Black Americans as a special target for instruction. Nearly one-third planned to work with low income problems and 44% would have focused on consumer problem of young adults. Fourteen percent proposed work with individuals of limited English-speaking ability. Most of the work would have been at the elementary and secondary levels. About 85% of the LEA proposals would have taken place in an urban or mixed geographic setting; 5% would have been located in the inner city.

Five LEA proposals were funded.

About Institutions of Higher Education. Institutions of Higher Education (IHE's) submitted 273 applications for grants and thus accounted for 32.5% of the proposals. These institutions were located in all except five of the States; 16% were from community or junior colleges and the remaining 84% were four-year institutions. The States contributing the largest numbers of applications from IHE's included California (30), Florida (13), Illinois (15), New Jersey (13), New York (19), Ohio (15), Pennsylvania (10), Texas (10), Virginia (10), and Wisconsin (12).

While most of the IHE's planned to carry out more than one activity, it was interesting to note that not only the community colleges but also some of the four-year institutions proposed neighborhood or community-based programs. In fact, 47% of the proposals would serve community consumer education needs either directly or through leader training. One-third would have trained educators; just under one-fourth would have trained non-educators. About one in seven proposed developing a resource center. Over one-half would have been involved in materials development and one-quarter in curriculum development. The most unexpected trend of the IHE proposals was in the direction of community-based programs, the development of materials to be used with community audiences, and the preparation of non-educators to carry out the program.

Twenty-eight IHE proposals were funded.

About Other Public or Private non-Profit Agencies. This grouping of applicants (OPPNA's) comprised just over 50% of the 839 proposals, and they encompassed a wide range of organizational types and interests. Overall, these dissimilar applicants appeared to be relatively comfortable when outlining a twelve-month activity as an extension of their on-going programs. They identified short run purposes and reflected a good understanding of the needs of the "ultimate consumer" in a consumers' education program. There was a wide range in capability to carry out proposed plans, and in general the needs statements were better developed than outlines for implementing the programs. Generally the evaluation proposed was weaker in this group of proposals than those outlined by the traditional education agencies.

Establishing a sub-grouping of these 424 agencies is meaningful, but it is exceedingly difficult. Therefore comments which follow apply only in a general sense.

Sub-group I. This is the largest sub-group and might be described as including non-profit research, education or service organizations. Their geographic orientations ranged from nationwide to community level. Some were organized to serve specific ethnic or target population needs, such as the needs of the elderly, handicapped, or limited English-speaking peoples. Applications from this sub-group comprised 35% of the 424 applicants, or 17% of the 839 proposals. Eleven from this sub-group were funded.

Sub-group II. This sub-group includes the community action, citizen's action, consumer's affairs, or consumer protection agencies. It made up about 27% of the "other public or private non-profit agencies," or 14% of the 839 applicants. Most of these applicants proposed work at the community, city, or county level. Eight proposals from this sub-group were funded.

Sub-group III. This sub-group is a mix, including: legal aid agencies (15% of the 424); departments of local governments not identified as consumer-oriented (13%); Indian agencies (5%); better business bureaus (2%); credit counseling units (1.5%); libraries (1.5%); and such other organizations as labor unions, cooperatives, and church service organizations. Ten proposals were funded from this sub-group, including two from legal aid agencies, two from local governments, one from a labor union, and five from Indian agencies.

Activities Proposed

All proposals were checked for the following types of activities: community programs, materials development, curriculum development, evaluation techniques (experimental and in addition to the evaluation required in each proposal), establishing a resource center (ranging from that proposed for a library, school or university to establishing a national resource center), and training of educators or non-educators. The non-educators might be peer leaders within the target population or non-education professionals, such as lawyers or nurses. Definitions of these activities were left to the individuals reviewing the proposals. They were directed to mark an activity only when it had been proposed as a substantial part of the work outlined.

Most of the proposals included more than one activity. Of the 839 applications, 60% included plans for community programs; 43% included materials development; 23% included curriculum development; 24% included training for educators; 21% training for non-educators; 13% included plans for a resource center; and 8% focused strongly on evaluation techniques. Further summary of activities, by agency type, appears in Table 2 below.

Table 2. Activities Proposed, by Types of Agencies Applying for Grants, Office of Consumers' Education, Fiscal Year 1976.

Activities Proposed	SEA	LEA	IHE	OFPNA	TOTAL
			Number*		
Community Program	5	38	129	332	504
Materials Development	14	58	142	145	359
Curriculum Development	16	51	71	54	192
Evaluation Techniques	4	6	35	22	67
Resource Center	3	16	41	53	113
Training: Educators	21	57	91	36	205
Non-Educators	2	15	62	95	174
			Percentage		
Community Program	1	7	26	66	100
Materials Development	4	16	40	40	100
Curriculum Development	8	27	37	28	100
Evaluation Techniques	6	9	52	33	100
Resource Center	3	14	36	47	100
Training: Educators	10	28	44	18	100
Non-Educators	1	9	35	55	100

*Many of the 839 proposals included more than one activity.

Special Needs in Consumers' Education

The Rules and Regulations pertaining to grants and contracts administered by the Office of Consumers' Education were published in the Federal Register, May 24, 1976. In Section 160c.4, paragraph (c)(2)(iii) it states that "Grant applications...will be given special priority if they are also designed to provide consumers' education to groups with special educational needs..."

The 839 applications were reviewed to determine the extent to which this priority could be identified in the proposals. Special needs populations were identified in terms of ethnic and other identifying characteristics, such as income level, special age groups, educational level, and geographic distribution.

Ethnic Considerations. Fighty percent of the proposals (654) gave no indication of intent to work with persons of special ethnic origins. The remaining twenty percent could be divided into two groups: those programs planned specifically for one group of people, such as the American Indian, Oriental, Black, or individual with Spanish surname; and those proposals planned for a

geographic area where peoples of mixed but identifiable ethnic origins lived, such as the Black/Spanish surname or the Black/Indian/Spanish/Oriental group. Proposals designed to serve mixed ethnic neighborhoods made up 5% of the total applications.

For detailed information regarding identification of ethnic target populations by differing types of agency applicants, see Table 3 below.

Table 3. Ethnic Characteristics, by Types of Agencies Applying for Grants, Office of Consumers' Education, Fiscal Year 1976.

Ethnic Characteristics	SEA	LEA	IHE	OPPNA	TOTAL
			Number		
American Indian	0	2	2	29	33
American Oriental	0	0	1	0	1
Black	0	3	13	27	43
Spanish Surname	0	7	16	35	58
Black/Spanish Surname	0	2	4	19	25
Black/Indian/Oriental/ Spanish Surname	4	3	5	9	18
Canadian American	1	0	1	2	4
Jewish	0	0	0	3	3
Other	28	95	231	300	654
TOTAL	30	112	273	424	839
			Percentage		
American Indian	0	6	6	88	100
American Oriental	0	0	100	0	100
Black	0	7	30	47	100
Spanish Surname	0	12	28	60	100
Black/Spanish Surname	0	8	16	76	100
Black/Indian/Oriental Spanish Surname	0	25	33	42	100
Canadian American	25	0	25	50	100
Jewish	0	0	0	100	100
Other	4	15	35	45	100

Other Special Needs. Most of the proposals treated special needs as a cluster of characteristics, such as low income/handicapped/elderly or limited English-speaking/low income/migrants. The largest single need identified by the applicants was that of the low income consumer (47%).

Other groups treated singly included the elderly (29%), young adults (24%), limited English-speaking peoples (19%), the handicapped (6%), migrant workers (4%), and families of labor groups (4%). Additional proposals identified such diverse needs as those of individuals soon to be released from penal facilities, drug addicts, the unemployed, military families as consumers, and young marrieds. These single-targeted proposals comprised 40% of the 839 applications.

Table 4 summarizes the proposed special needs programs. In terms of numbers of proposals, IHE's and OPPNA's identified the low income and elderly as targets to a greater extent than did the other agencies. The OPPNA's also contributed heavily to the number of proposals developed for the limited English-speaking peoples.

Table 4. Other Special Needs Characteristics, by Types of Agencies Applying for Grants, Office of Consumers' Education, Fiscal Year 1976.

Special Needs Characteristics	SEA	LEA	IHE	OPPNA	TOTAL
			Number*		
Low Income	4	33	89	256	392
Limited English-speaking	4	16	50	88	158
Handicapped	2	8	17	22	49
Elderly	3	11	77	151	242
Young Adult	9	49	74	70	202
Migrants	2	6	10	13	31
Labor	1	4	14	17	36
Other	21	47	128	136	332
			Percentage		
Low Income	1	9	23	67	100
Limited English-speaking	3	10	32	55	100
Handicapped	4	16	35	45	100
Elderly	1	5	32	62	100
Young Adult	5	24	37	34	100
Migrants	7	19	32	42	100
Labor	3	11	39	37	100
Other	6	14	37	33	100

*Many of the 839 proposals included more than one special needs characteristic.

Educational Level of Target Groups. The data collected pertaining to educational attainment were not meaningful for the IHE's and OPPNA's. Frequently the educational level of the target population was not indicated; only the level of those being trained to work with the target groups was given. Moreover, many proposals were neighborhood-based and intended to serve a group with mixed educational background. In such cases other population characteristics or imputed educational level is more meaningful to program development. Most importantly, the relationship between educational level and special need for a consumer education program was seldom noted.

About one-fourth of the SEA and LEA proposals focused on the secondary level. A summary of the educational attainment of target populations for those two agency types is shown in Table 5 below:

Table 5. Educational Level of Target Groups, by SEA's and LEA's Applying for Grants, Office of Consumers' Education, Fiscal Year 1976.

Educational Level	SEA's		LEA's	
	No.	%	No.	%
Pre-School	0	0	1	1
Elementary	0	0	18	16
Secondary	7	23	28	25
Elementary/Secondary	3	10	21	19
Mixed	8	27	25	22
Not Specified	12	40	19	17
TOTAL	30	100	112	100

Urban/Rural Considerations. The geographic boundaries of interests of the applicants were not clearly indicated by about 43% of the proposals. This was especially true of IHE's and SEA's, who tended to view their target as an entire State. Another 45% of the applicants would have carried out work in urban areas, including the suburbs surrounding large metropolitan centers. The urban settings were a major concern of the OPPNA's. An additional 10% of the applicants focused specifically on rural areas and rural problems, and 2% proposed work on Indian reservations. Some applicants proposed work of nationwide potential.

Of the urban-oriented proposals, about one-third were directed toward problems of specific neighborhood types. For example, nearly one-half of 114 urban proposals (54) were concerned with the inner city; about one-third (36) were interested in the small city or town; and one-fifth (24) focused on suburban areas. In general, it was the LEA's and OPPNA's that selected urban populations for program attention.

Thrust of the Proposed Programs

Since the Office of Consumers' Education desired some idea of program interests as expressed by the 839 applicants for grants, an attempt was made to analyze plans on three different subject matter levels. These included (1) major thrust of the work proposed, (2) categories of subject matter interest, and (3) specific topics. If a single topic were proposed (e.g., credit), the interest was also reflected in the appropriate category (e.g., financial management).

Major Thrust of the Work Proposed. As a means of eliciting information regarding the applicants approach to consumer education, proposal reviewers were asked to indicate whether the applicant viewed his program as (a) largely a matter of dealing with individual decision making and buying behavior, or (b) largely a matter of buying behavior plus concern for the implications of consumer decisions, including social, ecological and economic understandings. This was a forced choice question.

About 44% focused on the individual buying behavior, 38% focused on buying behavior plus implications of buying decisions, and 18% expressed their project plan in such a way that a major thrust could not be determined. Relatively the same pattern was noted for LEA's, IHL's, and OPPNA's. The SEA's, appeared to focus more attention on the implications of buying behavior than did the other agency types.

Categories of Interest. Five broad subject matter categories were pre-selected for study. These categories stemmed not only from a general knowledge of consumer education, but also they reflected interests expressed by the public, program planners, Congressman, educators and the enabling legislation. The titling of categories was influenced by the need for headings that would be meaningful and convey broad program interests. The categories chosen included: (1) improving buying behavior (65% of the 839 proposals); (2) financial management (61%); (3) consumer protection (61%); (4) consumer issues (52%); and (5) human services (37%).

About 10% of the applicants provided too general a plan to indicate program categories. A number of applicants outlined work in detail in all five categories. Or, if only one category was identified, it reflected a single subject interest on the part of the applicant, and the competence to handle that subject in depth was a characteristic of that applicant agency.

All agency types showed quite similar patterns of interest in the subject matter categories, with the exception of the category of human services. This area is newer as a component of consumer education. In this report the term is used to cover such "in lieu of earned income" programs as medicaid/medicare, social security, public housing/housing subsidy, food stamps, welfare, and similar government services. Although all applicants included human service issues less frequently than other program categories, over half of those including these services were OPPNA's.

At this time, it is the opinion of the Office of Consumers' Education staff that a sixth subject matter category should be included for analysis purposes. Many low income populations are concerned with their role as consumers of civic services (fire protection, police protection, schools, street repair, garbage pick-up, and other government services provided all citizens), as opposed to services providing "in lieu of earned income."

Table 6 gives data regarding the five categories included in this report and the applicant agencies proposing the work.

Table 6. Major Program Categories, by Types of Agencies Applying for Grants, Office of Consumers' Education, Fiscal Year 1976

Major Program Categories	SEA	LEA	IHE	OPPNA	TOTAL
			Number*		
Financial Management	20	30	166	246	512
Improving Buying Behavior	20	76	191	270	547
Human Services	9	40	89	175	313
Consumer Issues	16	60	133	228	437
Consumer Protection	17	66	157	273	513
General Statement Only	6	11	37	32	85
			Percentage		
Financial Management	4	16	32	48	100
Improving Buying Behavior	4	14	33	49	100
Human Services	3	13	28	56	100
Consumer Issues	4	14	30	52	100
Consumer Protection	3	13	31	43	100
General Statement Only	7	13	43	37	100

*Many of the 839 proposals included more than one major category.

Specific Topics. While many of the proposals identified subjects to be taught at the category level, an analysis of the single topics listed gives a third view of what applicants thought regarding consumer education needs. The most frequently listed subject was that of legal rights, redress, and consumer law, with 35% (294 of the proposals) planning to include this subject. The next most frequent listing was that of credit and savings which was reported by 26% (222) of the applicants. These were followed by food buying at 24% (200) and housing at 23% (190). Multiple topics or categories were included in most proposals, and percentages totaled more than 100%.

Of the four most frequently listed topics, the two highest deal with consumer problems involving the relationships between buyers and sellers, or those providing services, such as credit managers. The other two topics are buyer oriented; they deal with consumer decision making and focus on the two greatest demands on the consumer dollar: food and housing. They are of special concern to the low income families; historically, the lower the family income the higher the proportion needed to provide food and shelter.

It was previously noted that human services as a program category had not been given a high priority by the 839 applicants. Nonetheless, the single topic that was included most frequently in this category was medicaid/medicare with 13% (108) of all applicants intending to address this subject. This interest was largely accounted for by the large number of proposals concerned with problems of the elderly.

While the applicants indicated a general interest in consumer issues as a category, there was infrequent identification of a special issue topic. Energy consumption and conservation did receive the greatest interest, 16% (136 proposals), but this had to be compared with 52% (437 proposals) reporting interest on consumer issues in the general sense. One possible explanation is that "issues" is not a category of lesser interest, but rather a specific issue (e.g., energy, utilities, regulatory agencies) is harder to attack in an educational sense, and, from the consumer's standpoint, it is harder to "get a handle on them." The OPPMA's were responsible for 56% of those proposals that did intend to include energy as a subject, and the IHE's accounted for another 36%.

Regulatory agencies as a program topic was included in only 9% (77) of the proposals, while 14% (115) included advertising and product promotion. One item that is enlightening in terms of a changing understanding of what comprises a consumers' education program is that 14% (115) of the applicants would have included representation of consumers on governing bodies as a consumer education topic.

Table 7 below illustrates in detail the interests of all applicants in the specific topics selected for study.

Table 7. Specific Topics, by Major Program Categories and by Types of Agencies Applying for Grants, Office of Consumers Education, Fiscal Year 1976

Topic	SEA	LEA	IHE	OPPNA	TOTAL	SEA	LEA	IHE	OPPNA	TOTAL
	Number*					Percentage				
-Financial Management-										
Credit & Savings	9	34	70	109	222	4	15	32	49	100
Banking & Investments	2	15	28	32	77	3	20	36	41	100
Garnishment & Bankruptcy	0	2	9	14	25	0	8	36	56	100
Insurance**	4	15	27	40	96	5	17	31	47	100
Budgeting	6	23	46	63	138	4	17	33	46	100
-Improving Buying Practices-										
Food	7	26	61	106	200	4	13	31	52	100
Housing & Furnishings	6	21	57	106	190	3	11	30	56	100
Health Services & Insurance	2	15	46	73	136	2	11	34	53	100
Car & Transportation	4	18	40	62	124	3	15	32	50	100
Children's Items	0	2	10	17	29	0	7	34	59	100
-Human Services-										
Medicaid/Medicare	1	6	34	67	108	1	6	31	62	100
Social Security	0	7	26	52	85	0	8	31	61	100
Public Housing/Subsidy	0	2	15	31	48	0	4	31	65	100
Food Stamps	2	2	14	43	61	3	3	23	71	100
Welfare	1	4	13	27	45	2	10	29	59	100
-Consumer Issues-										
Energy Consumption & Conservation	7	8	45	76	136	5	6	33	56	100
Utilities	4	11	29	61	105	4	10	28	58	100
Regulatory Agencies	1	8	27	41	77	1	10	35	54	100
Advertising & Promotion	7	17	42	49	115	6	15	37	42	100
Consumer Representation	2	11	37	54	115	2	11	36	51	100
-Consumer Protection-										
Product Safety, Health Hazards, Pollution	5	10	30	56	101	5	10	30	55	100
Legal Rights, Redress, Consumer Law	10	33	78	173	294	4	11	27	58	100
Consumer Role in Protection	5	19	38	75	137	4	14	28	54	100

*Many of the 839 proposals included more than one specific topic.
**Excluding Health Insurance.

PART II. THE FUNDED PROGRAM: COMPARISON WITH THE 839 APPLICATIONS.

Selection of Proposals for Funding

Evaluation Procedures.

**An evaluation instrument was developed to conform to a point system announced in the "Federal Register" of November 26, 1975 (Section 160c.9 General evaluation criteria for awards, Consumers' Education Program).1/

**All eligible proposals received a first reading by one of twelve evaluation teams made up of non-Federal and Federal personnel. This established a team ranking for each proposal.

**Because of expected variations among team scores and in order to give equal consideration to evaluations of each team, the raw scores from the first reading were used only to identify the top nine proposals of each team. One hundred eight of these were recommended for a second reading.

**To assure representation of priority areas, sixteen additional proposals were identified in rank order and also recommended for a second reading.

**A total of 124 proposals received a second reading. It was at this time that a more rigorous and critical evaluation took place and a program ranking was established.

**The top 66 proposals were recommended for funding; five proposals were placed on a contingency list but were not funded.

The evaluation of all applications and the processing of proposals recommended for funding was completed by October 1, 1976. These are twelve month grants. There is no assurance of continuation of support from the Office of Consumers' Education.

1/ Final regulations, including the same general evaluation criteria for awards, were published in the "Federal Register" of May 24, 1976.

Characteristics of the Funded Programs

Among the 66 funded projects there are remarkable differences in the geographic distribution, applicant types, activities planned, target populations, and program content. The emphasis in 1976 was on model programs; this diversity fulfills the intent and purposes of the legislation.

A question still remains: To what extent do the grantees' plans of work reflect the interests and program thrusts of the applicants? Surprisingly, the funded program is in many ways a mirror image of the 839 applications received in 1976 by the Office of Consumers' Education. Some differences are apparent, and in the discussion which follows both highlights of the funded program and comparative information are included.

The data have been given no statistical treatment. Moreover, information regarding the funded proposals frequently resulted in small numbers, which, in turn, led to wide variations in percentage figures. Therefore, caution has been taken when reporting findings and insights.

Geographic Location of Grantees. Grant recipients are situated in 33 of the 50 States (66%). One noticeable group of contiguous States not receiving support for consumers' education programs is the northern tier of States from Lake Michigan through Idaho, including the Rocky Mountain States of Wyoming and Nevada. In general these States submitted few proposals. (See page 2 for related discussion regarding geographic response to program announcements.)

The location of the funded agency does not necessarily indicate the potential for geographic dissemination of information or program impact. In addition to community or city-wide projects, several will serve regional areas with States; about one-sixth will serve an entire State; some include or have implications for several States; a few have designed programs of National import. Moreover, one of the criteria for evaluation was that projects should be replicable and have implications for programming beyond the target population served.

Types of Agencies Receiving Grant Awards. An extensive discussion of agency types making application for grants appears on pages 2 through 6. Table 8 which follows compares the types of agencies submitting proposals with those funded. Proportionately more institutions of higher education and State education agencies were funded; proportionately fewer local education agencies and other public or private non-profit agencies were funded. However, selection factors were not associated with agency type. Evaluation criteria placed value on applicant qualifications for carrying out the work proposed; on the qualifications of the project director and staff, their qualifying experiences and potential; and on agency resources and delivery plan for work proposed.

Table 8. Comparison of Types of Agencies Applying for Grants and Grantees, Office of Consumers' Education, Fiscal Year 1976.

Agency Type	Applicants	Projects Funded
	Number	
State Education Agency (SEA's)	30	4
Local Education Agency (LEA's)	112	5
Institutions of Higher Education (IHE's)	273	28
Other Public or Private Non-Profit Agency (OPPNA's)	424	29
TOTAL	839	66
	Percentage	
State Education Agency (SEA's)	3.5	6
Local Education Agency LEA's)	13.5	7.6
Institutions of Higher Education (IHE's)	32.5	42.4
Other Public or Private Non-Profit Agency (OPPNA's)	50.5	44
TOTAL	100	100

Activities Underway and Comparison with Applications Received. Table 9 gives detailed information regarding the activities planned by the 66 grantees; Table 10 gives comparative information. In general the grantees are an excellent reflection of applicant interests as to program activity to be undertaken. Table 10 suggests one difference - that the funded proposals may be stronger as a whole in evaluation.

Table 9. Activities Planned, by Types of Agencies Receiving Grants, Office of Consumers' Education, Fiscal Year 1976.

Activities Proposed	SEA	LEA	IHE	OPPHA	TOTAL
			Number*		
Community Program	0	1	10	22	33
Materials Development	2	1	18	14	35
Curriculum Development	3	1	7	7	18
Evaluation Techniques	2	1	8	2	13
Resource Center	0	0	6	4	10
Training: Educators	3	4	9	3	19
Non-Educators	0	1	10	8	19
			Percentage		
Community Program	0	3	41	56	100
Materials Development	6	3	51	40	100
Curriculum Development	17	6	39	38	100
Evaluation Techniques	15	8	62	15	100
Resource Center	0	0	60	40	100
Training: Educators	16	21	47	16	100
Non-Educators	0	5	53	42	100

*Many of the 66 projects include more than one activity.

Table 10. Comparison of Activities Proposed by Applicants and Grantees, Office of Consumers' Education, Fiscal Year 1976.

Activities Proposed	Applicants	Grantees
	Number*	
Community Program	504	39
Materials Development	359	35
Curriculum Development	192	18
Evaluation Techniques	67	13
Resource Center	113	10
Training: Educators	205	19
Non-Educators	174	19
	Percentage	
Community Program	60	59
Materials Development	43	53
Curriculum Development	23	27
Evaluation Techniques	8	20
Resource Center	13	15
Training: Educators	24	29
Non-Educators	21	29

*Many of the applicants and grantees included more than one activity.

Special Needs for Consumers' Education

Ethnic Characteristics - A Comparison. Tables 11 and 12 suggest that a higher percentage of the funded projects are providing consumer education to the American Indian than is reflected by the applicant proposals. At the same time the percentages of both applicants and grantees considering ethnic needs as a priority were pitifully small: about 20%. To some extent the incidence reported regarding ethnic characteristics as well as other special needs is a function of the type of agency applying. Review of data suggests that (1) there may be more focus on special needs than was identified by reviewers of the proposals, and (2) in this first year of programming information regarding the Office of Consumers' Education grants may not have reached institutions specifically organized to serve target populations with special needs.

Table 11. Ethnic Characteristics, by Types of Agencies Receiving Grants, Office of Consumers' Education, Fiscal Year 1976.

Ethnic Characteristics	SEA	LEA	IHE	OPPNA	TOTAL
			Number		
American Indian	0	o	0	7	7
American Oriental	0	0	0	0	0
Black	0	0	2	1	3
Spanish Surname	0	0	1	1	2
Black/Spanish Surname	0	0	0	1	1
Black/Indian/Oriental/ Spanish Surname	0	0	0	1	1
Canadian American	0	0	0	1	1
Jewish	0	0	0	0	0
Other	4	5	25	17	51
TOTAL	4	5	28	29	66
			Percentage		
American Indian	0	0	0	100	100
American Oriental	0	0	0	0	0
Black	0	0	67	33	100
Spanish Surname	0	0	50	50	100
Black/Spanish Surname	0	0	0	100	100
Black/Indian/Oriental Spanish Surname	0	0	0	100	100
Canadian American	0	0	0	100	100
Jewish	0	0	0	0	0
Other	8	10	49	33	100

Table 12. Comparison of Ethnic Characteristics of Target Populations of Applicants and Grantees, Office of Consumers' Education, Fiscal Year 1976.

Ethnic Characteristics	Applicants	Grantees
	Number	
American Indian	33	7
American Oriental	1	0
Black	43	3
Spanish Surname	58	2
Black/Spanish Surname	25	1
Black/Indian/Oriental Spanish Surname	18	1
Canadian American	4	1
Jewish	3	0
Other	654	51
TOTAL	839	66
	Percentage	
American Indian	4	11
American Oriental	-	0
Black	5	5
Spanish Surname	7	3
Black/Spanish Surname	3	2
Black/Indian/Oriental Spanish Surname	2	2
Canadian American	-	2
Jewish	-	0
Other	80	77

Other Special Needs. Tables 13 and 14 give information about characteristics suggesting special need for consumer education. The information suggests there may be proportionately fewer funded projects dealing with low-income problems than was found in the applications received. This may be accounted for by the fact that there were more SEA and IHE proposals funded. These agencies tended to submit proposals that were geared to a geographic target population rather than to a special needs target group. In many instances the special needs will be met, but not in the sense of a program planning for and singling out those needs.

Table 13. Special Needs Characteristics, by Types of Agencies Receiving Grants, Office of Consumers' Education, Fiscal Year 1976.

Special Needs Characteristics	SEA	LEA	IHE	OPPNA	TOTAL
			Number*		
Low Income	1	1	8	14	24
Limited English-speaking	1	0	3	8	12
Handicapped	1	0	3	2	6
Elderly	0	1	12	4	17
Young Adult	2	1	6	5	14
Migrants	1	0	1	1	3
Labor	0	0	1	1	2
Other	2	3	14	11	30
			Percentage		
Low Income	4	4	33	59	100
Limited English-speaking	8	0	25	67	100
Handicapped	17	0	50	33	100
Elderly	0	6	71	23	100
Young Adult	14	7	43	36	100
Migrants	33	0	33	34	100
Labor	0	0	50	50	100
Other	7	10	47	36	100

*Many of the 66 projects include more than one special needs characteristic.

Table 14. Comparison of Special Needs Characteristics of Target Populations of Applicants and Grantees, Office of Consumers' Education, Fiscal Year 1976.

Special Needs Characteristics	Applicants	Grantees
	Number*	
Low Income	392	24
Limited English-speaking	158	12
Handicapped	49	6
Elderly	242	17
Young Adult	202	14
Migrants	31	3
Labor	36	2
Other	332	30
	Percentage	
Low Income	47	36
Limited English-speaking	19	18
Handicapped	6	9
Elderly	29	26
Young Adult	24	21
Migrants	4	5
Labor	4	3
Other	40	45

*Many of the applicants and grantees included more than one special needs characteristic.

Educational Level of Target Groups. As was noted on page 10, the educational attainment data relative to the IHE's and OPPNA's was not particularly meaningful. Furthermore, data relative to the funded SEA and LEA projects are exceedingly limited. Therefore, only a comparison of the applicants and grantees is reported below in Table 15.

Table 15. Comparison of Educational Level of Target Groups, by SEA's and LEA's Applying for Grants and Grantees, Office of Consumers' Education, Fiscal Year 1976.

Educational Level	SEA & LEA Applicants	SEA & LEA Grantees
	Number	
Pre-School	1	0
Elementary	18	1
Secondary	35	1
Elementary/Secondary	24	2
Mixed	33	4
Not Specified	31	1
TOTAL	142	9
	Percentage	
Pre-School	1	0
Elementary	12	11
Secondary	25	11
Elementary/Secondary	17	22
Mixed	23	45
Not Specified	22	11
TOTAL	100	100

Urban/Rural Considerations. One-third of the funded projects will serve urban areas. About one-seventh focus on rural problems and rural populations, including Indian reservations. Just over half either give no indication of whether the target population is urban or rural, or they plan to work with both groups. Two of the projects will serve inner city only.

In general this picture reflects the interests of the applicants as well as the grantees. The funded program may be slightly less definite in regard to the urban/rural orientation of the work planned, and it may focus to a somewhat lesser extent upon the urban setting.

The Funded Program

Overall, the pattern in thrust of the projects, the categories of subjects included, and the selected topics were remarkably similar to those of the applicants. The incidence of reporting, however, was generally higher for the funded projects. This suggests that the grantees as a group submitted proposals that were more definitive in regard to program content.

Major Thrust. The funded projects were very nearly a match to the 839 proposals in terms of program interests and thrust: 48% deal with individual buying behavior; 35% are focusing on buying behavior plus implications on buying decisions; and 17% fall into neither category. Note discussion on page 11 for an interpretation of these responses and their meaning for a new direction in consumer education. Table 16 below gives detailed information regarding these comparisons.

Table 16. Comparison of Major Thrust of Work Proposed by Applicants and Grantees, Office of Consumers' Education, Fiscal Year 1976.

Major Thrust	Applicants	Grantees
	Number	
Individual Decision Making	371	32
Buying Behavior plus Social Ecological and Economic Implications	314	23
No Response	154	11
TOTAL	839	66
	Percentage	
Individual Decision Making	44	48
Buying Behavior plus Social Ecological and Economic Implications	38	35
No Response	18	17
TOTAL	100	100

Major Program Categories. The five subject matter areas included for study are discussed in detail on pages 11 and 12 of this report. Table 17 reports their inclusion by agency type in the 1976 program. Table 18 shows the comparison between the applicants and the grantees. The same general pattern appears for both groups, although the percentage figures are consistently higher in each category of the funded projects and the "general statement only" category is lower. Again, an indication that the funded projects were more specific in program details.

Table 17. Major Program Categories, by Types of Agencies Receiving Grants, Office of Consumers' Education, Fiscal Year 1976.

Major Program Categories	SEA	LEA	IHE	OPPHA	TOTAL
			Number*		
Financial Management	4	4	23	16	47
Improving Buying Behavior	4	5	24	19	52
Human Services	3	4	15	14	36
Consumer Issues	3	5	17	17	42
Consumer Protection	4	5	20	20	49
General Statement Only	0	0	1	3	4
			Percentage		
Financial Management	9	9	49	33	100
Improving Buying Behavior	8	10	46	36	100
Human Services	8	11	42	39	100
Consumer Issues	7	12	40	41	100
Consumer Protection	8	10	41	41	100
General Statement Only	0	0	25	75	100

*Many of the 66 projects include more than one major program category.

Table 18. Comparison of Major Program Categories for Work Proposed by Applicants and Grantees, Office of Consumers' Education, Fiscal Year 1976.

Major Program Categories	Applicants	Grantees
	Number*	
Financial Management	512	47
Improving Buying Behavior	547	52
Human Services	313	36
Consumer Issues	437	42
Consumer Protection	513	49
General Statement Only	85	4
	Percentage	
Financial Management	61	71
Improving Buying Behavior	65	79
Human Services	37	55
Consumer Issues	52	64
Consumer Protection	61	74
General Statement Only	10	6

*Many of the applicants and grantees included more than one major program category.

Specific Topics. On pages 12 and 13 of this report is a discussion of the single subjects selected for study in the 839 proposals and a rationale for their choice. Table 7 (page 14) summarizes information regarding these topics by agency type. Table 19 (page 25) reports the same information for the funded projects. Table 20 (page 26) reports the comparative data.

While the same conclusions can be drawn regarding the funded program as pertained to the applicants (i.e., that credit and savings and legal rights, redress, and consumer law appear with the greatest frequency; that the next ranking topics are food and housing), other subjects appear to move into relatively more prominent positions. The consumer role in protection equals interest in improving buying practices for housing; and budgeting equals improving buying practices for food. These relationships may be a function of the orientations and competencies of the types of agencies funded, especially in the case of the budgeting-food similarity. Without statistical treatment of the data, however, this can only be reported as a "hunch."

Additionally, health services (including medicare/medicaid), transportation, and the consumer issue of advertising and promotion appear with proportionately greater frequency in the grantee program. Of a smaller dimension is the suggestion that the funded program places greater importance on energy consumption and conservation and utilities. Some of the single topics that commanded only minor attention among the applicants moved to stronger positions in the funded program.

Table 19. Specific Topics, by Major Program Categories and by Types Of Agencies Receiving Grants, Office of Consumers' Education, Fiscal Year 1976.

Topic	SEA	LEA	IHE	OPPNA	TOTAL	SEA	LEA	IHE	OPPNA	TOTAL
	Number*					Percentage				
-Financial Management-										
Credit & Savings	3	5	10	9	27	11	19	37	33	100
Banking & Investments	2	3	6	3	14	14	21	43	22	100
Garnishment & Bankruptcy	0	1	4	3	8	0	13	50	37	100
Insurance**	3	2	7	2	14	22	14	50	14	100
Budgeting	2	3	11	5	21	10	14	52	24	100
-Improving Buying Practices-										
Food	2	3	8	8	21	10	14	38	38	100
Housing & Furnishings	3	2	8	9	22	14	9	36	41	100
Health Services & Insurance	1	3	8	6	18	6	17	44	33	100
Car & Transportation	2	2	6	8	18	11	11	33	45	100
Children's Items	0	1	2	4	7	0	14	29	57	100
-Human Services-										
Medicaid/Medicare	0	1	9	6	16	0	6	56	38	100
Social Security	0	1	7	5	13	0	8	54	38	100
Public Housing/Subsidy	0	2	4	4	10	0	20	40	40	100
Food Stamps	1	1	5	6	13	8	8	38	46	100
Welfare	1	1	4	2	8	13	13	50	24	100
-Consumer Issues-										
Energy Consumption & Conservation	1	2	6	7	16	6	13	38	43	100
Utilities	1	2	5	7	15	7	13	33	47	100
Regulatory Agencies	0	2	6	5	13	0	15	46	39	100
Advertising & Promotion	2	4	6	5	17	12	24	35	29	100
Consumer Representation	0	2	6	6	14	0	14	43	43	100
-Consumer Protection-										
Product Safety, Health Hazards, Pollution	1	2	5	5	13	8	15	39	38	100
Legal Rights, Redress, Consumer Law	3	5	10	14	32	9	16	31	44	100
Consumer Role in Protection	3	3	9	7	22	14	14	41	31	100

*Many of the 66 projects include more than one specific topic.
**Excluding Health Insurance.

Table 20. Comparison of Specific Topics for Work Proposed by Applicants and Grantees, Office of Consumers' Education, Fiscal Year 1976.

Topic	Applicants	Grantees	Applicants	Grantees
	Number*		Percentage	
		-Financial Management-		
Credit & Savings	222	27	26	41
Banking & Investments	77	14	9	21
Garnishment & Bankruptcy	23	9	3	14
Insurance**	96	14	11	21
Budgeting	138	21	16	32
		-Improving Buying Practices-		
Food	200	21	24	32
Housing & Furnishings	190	22	23	33
Health Services & Insurance	136	18	16	27
Car & Transportation	124	18	15	27
Children's Items	29	7	3	11
		-Human Services-		
Medicaid/Medicare	108	16	13	24
Social Security	85	13	10	20
Public Housing/Subsidy	48	10	6	15
Food Stamps	61	13	7	20
Welfare	45	8	5	12
		-Consumer Issues-		
Energy Consumption & Conservation	136	16	16	24
Utilities	105	15	13	23
Regulatory Agencies	77	13	9	20
Advertising & Promotion	115	17	14	26
Consumer Representation	115	14	14	21
		-Consumer Protection-		
Product Safety, Health Hazards, Pollution	101	13	12	20
Legal Rights, Redress, Consumer Law	294	32	35	48
Consumer Role in Protection	137	22	16	38

*Many of the applicants and grantees included more than one specific topic.
**Excluding Health Insurance.

The factual information and generalizations appearing in this report were developed through analysis of the 1976 grant applications received by the Office of Consumers' Education, Office of Education. This compilation sets forth the data and some insights regarding program interests, but is not a complete interpretation of all information collected. From time to time additional interpretive statements are contemplated, with priority going to the special programming needs of selected target groups and emerging consumer issues.

For further information, contact:

Office of Consumers' Education
Office of Education
Regional Office Building 3, Room 5624
7th & D Streets, SW
Washington, D.C. 20202

Telephone: Area Code 202/245-0636

APPENDIX 11-A

MAJORITY MEMBERS

[illegible]

MINORITY MEMBERS

[illegible]

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
COMMITTEE ON EDUCATION AND LABOR
SUBCOMMITTEE ON ELEMENTARY, SECONDARY
AND VOCATIONAL EDUCATION
B-346C RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515

July 29, 1977

Dr. Albert Alford
Assistant Commissioner for Legislation
Office of Legislation
U.S. Office of Education
Room 4131
400 Maryland Avenue, S.W.
Washington, D. C. 20202

Dear Dr. Alford:

Due to restraints of time, we were not able to pursue all the questions we have for the Administration witnesses at the Subcommittee hearings on adult education, miscellaneous programs, and the Special Projects Act. Therefore, I am submitting a list of additional questions on these programs to be answered for the record, and would appreciate if you could forward these questions to the directors of the programs to which they pertain.

We would like to have the responses no later than August 12th, so that we can include them in our printed hearing record. The questions are attached to the letter.

Thank you very much.

Sincerely,

Carl D. Perkins
Chairman

CDP:jk

ADULT EDUCATION

1. What is the role of the H.E.W. regional offices in the administration of the Adult Education Act? Who reviews the State plans?

2. Could you provide us with more specific information regarding the activities of the Clearinghouse on Adult Education?

3. You said in your statement that since 1966, approximately 200,000 teachers, administrators, and support personnel have been trained under the Adult Education Act. Do you perceive that there will continue to be a need for trained teachers of adult education for several years, or do you feel that we are close to meeting the demand for trained personnel and should concentrate funds in other areas?

4. Is there any coordination between your office and the Office of Indian Education for the administration of the programs under Sec. 314 of the Adult Education Act?

NATIONAL READING IMPROVEMENT ACT

1. What do you feel could be accomplished if the Act were funded at a sufficient level to trigger funding of the section for State reading improvement programs?

2. Can you provide us with the number of grantees for each of the Right to Read components where they are not specified in your testimony?

3. What is your opinion of the various studies on illiteracy which have been conducted? Do they all use different definitions of literacy? What is the best and most acceptable definition of reading literacy?

4. One of the major research themes of NIE is in the area of basic skills. What coordination is there between your efforts and those in NIE?

5. The Act also includes authorization for "Reading Academies." Have grants been made under this section? If so, to what types of recipients? In cases where grants are made to non-LEAs, what coordination was there between the public schools and the reading academy? What evaluation has been made of these grants?

6. Prior to the passage of P.L. 93-380, the Right to Read program was operating under general authority of the Commissioner. What effect did the passage of the National Reading Improvement Act have on administration of the program?

7. What is the quality of teacher preparation for dealing with reading? How much attention do States pay to teacher preparation in formulating their State plans?

8. There has been some criticism expressed of the fact that the law is limited to elementary schools. Should it be expanded to permit reading programs at the secondary level?

National Reading Improvement Act (cont.)

9. The 1976 report by Applied Management Sciences was quite critical of many aspects of the program. Could you tell us what you have done to counter or remedy these criticisms?

10. What other evaluations of Right to Read are in progress? When will they be available?

11. The Act also includes authority for the training of reading teachers on public television. Have any grants been made under this section? Do you plan any grants?

12. The major focus of the Adult Education Act and of Title I, ESEA, is in literacy and basic skills. Do those programs build upon the experiences in your program? What coordination exists between these programs at the State and local level? Is there any way to assure greater cooperation?

13. The Reading Act contains several separate provisions. Which are the most important in meeting the needs for effective reading programs? Are there some sections of the Act which could be repealed?

STATE EQUALIZATION PLANS

1. For what reason do you feel that 9 States have chosen not to participate in the program? If a large scale program of Federal aid for equalization were enacted, how would you suggest these 9 States be treated?

2. According to Table I in your testimony, New Jersey was reimbursed for implementation of their plan, rather than development. For what implementation activities are they eligible to be reimbursed? How many other States do you expect to reimburse for implementation? To what extent do the regulations permit reimbursement for implementation?

3. What will happen to the remaining entitlements for States which have chosen not to participate in the program?

4. How many States have hired permanent staffs to work on equalization? How many States have implemented or are developing computer-based systems as a result of funding under this section?

5. Are there any guidelines, formal or informal, regarding the number or type of major interest areas as listed in Table III that must be covered in a State plan?

6. According to a review of the Section 842 program done by the Library of Congress, applications vary widely among the States in the detail provided about planning and budgeting, and in some States it is difficult to tell exactly what States do with the money they receive. How do you respond to this criticism? How much detail is actually required in the State plans?

7. This same Library of Congress study also indicates that in most applications the rationale for including certain planning tasks is not explicitly stated. Is any sort of rationale required for plan approval? Are you aware of any applications that have been approved which include planning tasks that may be interpreted as beyond the scope of the legislation?

8. The Library of Congress study also found that in some cases the equity guidelines in the regulations are not consistent with the standards. To what extent do you feel the standards for these two programs should be compatible?

ETHNIC STUDIES

1. What dissemination is made of materials of a general nature which are developed with program funds such as the 1976 grants to Indian tribes in North Dakota and Oregon? Could not those programs have been supported under part B of the Indian Education Act?

2. The catalog of programs in fiscal year 1976 shows that a $38,000 grant was given to develop a television-based curriculum on "The Folklore of Black America." Why couldn't such a program be funded under the television set-aside in ESAA?

3. How are O.E. and N.I.E. activities related to ethnic education coordinated?

4. When will there be an evaluation of the program?

WOMEN'S EDUCATIONAL EQUITY

1. Why are the greatest percentage of grants, both general and small, given to institutions of higher education?

2. What cooperation or coordination has occurred between your office and the Bureau of Occupational and Adult Education to prepare for implementation of the new amendments to the Vocational Education Act relating to sex discrimination and sex stereotyping?

3. How do you determine the length of time for which a project will be funded? For this fiscal year, how many projects were new grants and how many were continuing?

APPENDIX 11-B

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

August 11, 1977

Honorable Carl D. Perkins
Chairman
Committee on Education and Labor
House of Representatives
Washington, D.C.

Dear Mr. Chairman:

Thank you for your letter of July 29 requesting that we provide answers to a series of program-related questions as a follow-up to our recent oversight hearings on Elementary and Secondary Education Act Programs.

Enclosed you will find responses to the questions appended together by programs. The answers to the questions were provided by the directors of the relevant programs.

I hope this material provides the information desired by you and other members of the Subcommittee. If I may be of further service, please call.

Sincerely yours,

Albert L. Alford

Albert L. Alford
Assistant Commissioner
for Legislation

Enclosures

ADULT EDUCATION

1. What is the role of the H.E.W. regional offices in the administration of the Adult Education Act? Who reviews the State plans?

   Response: Under the Delegation of Authority issued on October 1, 1973, the following are duties of Regional Offices:
   1. Review fiscal and program content of plans.
   2. Recommend approval of State plans.
   3. Issue State grant awards.
   4. Maintain program financial records.
   5. Receive and review all fiscal and program reports. Report program and fiscal data to Headquarters for national program information needs.
   6. Monitor on-going State plan programs and other projects as specifically designated by Headquarters, including assessment and evaluation of program effectiveness and make recommendations for operational changes.
   7. Provide fiscal, program, and procedural developmental assistance to clients.
   8. Serve as the focal point for information and dissemination activities.
   9. Maintain an annual Operational Plan consistent with Bureau priorities and report regularly on achievement of approved objectives.
   10. Review audits.
   11. Settle audits as appropriate.
   12. Coordinate urban and community education activities.
   13. Respond to congressional and other inquiries.
   14. Make recommendation to Headquarters on policies and procedures and on guidelines and regulations.

   Particular attention is called to review of the State plans covered in item 1.

   Reorganization of the Regional Offices is in process and whether or not these responsibilities will remain at the regional level is yet to be determined.

2. Could you provide us with more specific information regarding the activities of the Clearinghouse on Adult Education?

   Response: Planning and design phases of the adult education clearinghouse were undertaken early in calendar years 1976 and 1977. By September 30, 1977, a contract will be awarded for support of the operation of the adult education clearinghouse.

It will provide query answering and information services to an estimated 2,500 users during a 12-month period; develop and field test a comprehensive information system to inventory improved practices and products in adult education, manpower and related education programs; and establish linkages with other State, regional, and national clearinghouses and with professional adult education associations.

3. You said in your statement that since 1966 approximately 200,000 teachers, administrators, and support personnel have been trained under the Adult Education Act. Do you perceive that there will continue to be a need for trained teachers of adult education for several years, or do you feel that we are close to meeting the demand for trained personnel and should concentrate funds in other areas?

   Response: We project there will continue to be a need to train teachers, administrators, and support personnel. At least 75 percent of the teachers, administrators, and support personnel are part time. The turnover rate of part-time personnel is approximately 30 percent per year resulting in an estimated 90 percent turnover every three years. At current funding levels we do not anticipate a significant reduction in the percentage of part-time personnel utilized in the program. Therefore, continuous in-service training will be required to provide quality services.

4. Is there any coordination between your office and the Office of Indian Education for the administration of the programs under Sec. 314 of the Adult Education Act?

   Response: Yes. A senior program officer is assigned responsibility for continuous liaison with the Office of Indian Education and assists in reviewing proposals, joint planning of conferences and workshops, and eliminating of overlap in funding programs.

NATIONAL READING IMPROVEMENT ACT

1. What do you feel could be accomplished if the Act were funded at a sufficient level to trigger funding of the section for State reading improvement programs?

I believe the increased funding would assist the States in implementing their comprehensive state literacy plan. Each state should develop and implement an interagency unified and coordinated series of action steps designed to advance literacy among all of its citizens. The funding of this section of the act would aid the States in carrying out this program.

2. Can you provide us with the number of grantees for each of the Right to Read components where they are not specified in your testimony?

Total Right to Read Appropriation FY 1977 $26,000,000

Components	Appropriation	#of Grantees or Awards
Special Emphasis Projects	1,000,000	7
Inexpensive Books	5,000,000	1
Reading Academies	4,840,000	79
Reading Improvement Projects	8,400,000	132
State Leadership & Training	6,000,000	54
National Impact	500,000	5
Evaluation	260,000	-

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3. What is your opinion of the various studies on illiteracy which have been conducted? Do they all use different definitions of literacy? What is the best and most acceptable definition of reading literacy?

It is extremely difficult for anyone interested in evaluating trends in literacy to obtain adequate data.

Former pronouncements, speeches, and studies alerted the Nation to the widespread illiteracy among the youth and adults of the country. However, these efforts used varying definitions of the term "literacy" and in many cases the results were so gross and vague that they could not provide any baseline to be used in establishing positive or negative changes in reading performance over a period of time.

Current efforts have been mounted which will allow a much more valid and reliable monitoring system than was possible in the past of how well Americans read. Such efforts as the National Assessment of Educational Progress and the various State assessment programs will allow us to determine whether or not reading competencies are improving and to evaluate the effectiveness of our efforts.

The most acceptable and popular definition of reading literacy today is one that stresses competencies in the basic reading skills that are needed for survival in our present and future society.

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 3

However, one must recognize that this concept of functional literacy also has severe limitations in that it only stresses minimal competencies-competencies that the various educational agencies may define differently.

4. One of the major research themes of NIE is in the area of basic skills. What coordination is there between your efforts and those in NIE?

Up to this time there has been limited coordination between Right to Read and NIE. However, since early in 1977 there has been increasing dialogue and interaction between the two agencies. It is anticipated that NIE will participate in the new OE Basic Skills Effort and several interagency literacy pilot projects.

5. The Act also includes authorization for Reading Academies.

a. Have grants been made under this section?

Yes

b. If so, to what types of recipients?

Type	Number
Libraries	1
State Education Agencies	4
Local Education Agencies	14
2 Year Colleges and Technical Schools	14
4 Year Colleges and Technical Schools	19
Non-profit Organizations	28
Other State Agencies	1

c. In cases where grants are made to non LEAs, what coordination was there between the public schools and the reading academy?

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 4

Coordination varies from none at all to fairly close. Much depends on the initiative of the project director and the willingness of public school officials. It is not specifically required that an academy align with the local school district; therefore this variable is often not reported to nor tracked by Right to Read.

d. What evaluation has been made of these grants?

None yet. The first 19 grants were implemented in 1975. However, baseline data will be gathered in November 1977 and a progress report will be available in March 1978.

6. Prior to the passage of P.L. 93-380, the Right to Read program was operating under general authority of the Commissioner. What effect did the passage of the National Reading Improvement Act have on administration of the program?

The passage of the National Reading Improvement Act had the following impact on the administration of the Right to Read Program:

1. Appropriations were substantially increased (FY 1975-$12,000,000 to FY 1976-$23,800,000.)
2. Reading Academies, Inexpensive Book Distribution , and Special Emphasis components were added.
3. LEA programs (Reading Improvement Projects) were restricted to Pre-school and Elementary).

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 5

4. Grants are no longer given to colleges and universities to support technical assistance teams to work with Right to Read projects at the school site to strengthen the instructional program.

7. What is the quality of teacher preparation for dealing with reading? How much attention do States pay to teacher preparation in formulating their State plans?

Research clearly shows that reading programs are usually successful when the professionals are properly trained. However, for the most part the pre-service training of teachers in the area of reading is very limited. Very few state accrediting agencies require more than 3-6 semester hours of reading instruction for teacher certification.

There is a great need to improve the teacher education programs in the area of literacy at the pre-service, in-service, and graduate levels.

At the present time States vary in their attention to teacher preparation in formulating their State plans.

Under Title V of ESEA a document entitled "Comprehensive State Literacy Planning" was prepared. In its unified and coordinated series of action steps it placed emphasis on teacher education. We are strongly urging States to adopt or adapt this model in the developing of their own plan.

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 6

8. There has been some criticism expressed of the fact that the law is limited to elementary schools. Should it be expanded to permit reading programs at the secondary level?

Research clearly indicates the importance of the early identification and prevention of reading difficulties. However, we must recognize that at least one out of ten of those students nearing the end of high school is still not able to do basic everyday reading tasks.

The law should be expanded to permit reading programs at the secondary level. It is not expected that a small secondary program could solve the secondary literacy problem but it could help to develop effective models of delivery systems and teacher training programs.

9. The 1976 report by Applied Management Sciences was quite critical of many aspects of the program. Could you tell us what you have done to counter or remedy these criticisms?

An assessment of the State agency component of the Right to Read program by AMS(6/1976) states: "The approach taken by the Federal administrators responsible for the state component appears to have been successful in that the programs have achieved meaningful effect utilizing a relatively modest amount of money".

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 7

The results of this study also indicated that there are several areas of the Right to Read program in which improvement is needed. I would like to comment on each one of these criticisms.

a. Local district Right to Read programs showed fuller implementation where there was a full time director.

This finding was to be expected. New programs and concepts start and mature more quickly when coordinated by a full time leader. As teachers and administrators become more knowledgeable about implementing Right to Read programs, schools without directors have become participants and are taking advantage of the field's newly acquired insights and techniques.

b. Local district directors desired changes in technical assistance delivery.

The 54 State Leadership grantees received 6 million dollars in FY 77. Unfortunately, this limited funding did not provide the State Right to Read Directors with sufficient resources to offer sufficient technical assistance to all local Right to Read directors.

However, this important area of technical assistance will never be completely effective without additional funding.

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 8

c. Coordination of Right to Read with Adult Basic Education was found lacking in local districts.

Unfortunately, in many LEAs and SEAs general education (Right to Read) and adult basic education do not work effectively together. Traditionally, these programs are supervised and staffed by different departments and personnel.

This situation is not acceptable. We are making increased efforts to develop a national model of interagency cooperation between all OE agencies concerned with literacy.

In addition, we are identifying several pilot projects that will demonstrate effective interagency cooperation between adult education and Right to Read.

d. Improvements needed in communication.

This criticism is not unique to the Right to Read program. All new programs suffer from communication problems. Nevertheless an increase in inservice training, regional conferences, position papers, media reports, and articles in professional journals are helping bridge the communication gap.

e. The State Right to Read Advisory Council was not effective in dissemination activities.

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 9

This is a valid criticism. Every effort is being made to educate State Right to Read Directors and Task Forces of their roles and responsibilities. However, each state is different and one must realize that each State's organization will vary tremendously.

Advisory Councils must become more active. We cannot solve the literacy problem of this nation unless we win public support and get our citizens involved.

f. The State Right to Read Task Force was functioning at a minimum level.

If we expect a State Task Force to really function effectively then it is recommended that State Leadership monies only be allocated for State plans that endorse this total commitment.

In addition, if we expect SEAs and LEAs to develop interagency commitments, we must develop an effective national model among the OE and HEW agencies involved in the literacy issue.

g. Distribution of Right to Read services to local districts was not in agreement with national guidelines.

At the present time States have limited authority to force LEAs to participate in Right to Read activities. Therefore, it's true that the major criterion used to select LEAs for participation in Right to Read was willingness of the local

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 10

district to comply with the terms of the agreement. The only action that the federal and state Right to Read programs can take is to make the rewards of participation so great that all districts will want to join.

h. Program evaluation was not linked to accomplishment of objectives.

State Right to Read programs have limited control over local Right to Read efforts and requiring effective evaluations is difficult to achieve in any case.

However, we must develop more effective evaluation procedures. If we don't, we will never determine what works and what fails.

National Right to Read is presently developing an evaluation model with OPBE and an independent contractor.

It is hoped that this criticism will be effectively addressed by this time next year.

i. Adults were not usually included in State and local needs assessment in reading.

For the most part State and local Right to Read directors have not had authority over adult reading programs.

It is hoped that with the new federal model of interagency cooperation State and local Right to Read personnel will develop closer ties of cooperation with their adult education counterparts.

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 11

10. What other evaluations of Right to Read are in progress? When will they be available?

The Special Emphasis program is undergoing a longitudinal impact evaluation. Findings on the first year's activities will be available in February 1978.

The Inexpensive Book Distribution's evaluation will be available in June 1978.

Baseline data will be gathered on Reading Academies and Reading Improvement Projects in November and a report will be available in March 1978.

11. The Act also includes authority for the training of reading teachers on public television. Have any grants been made under this section? Do you plan any grants?

Funds for training teachers through public television were authorized for FY 1975 only. However, no funds were ever appropriated.

12. The major focus of the Adult Education Act and of Title I, ESEA, is in literacy and basic skills.

a. Do those programs build upon the experiences in your program?

The other programs existed and were well established well before Right to Read: therefore, it is more accurate to say that Right to Read built on their experience.

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 12

12. b. What coordination exists between these programs at the State and local level?

Cooperation between Right to Read and these programs varies greatly. Several Right to Read grants actually complement existing ABE programs by utilizing the tutor component of Right to Read to teach reading to ABE clients on a one-to-one basis--a practice which was rare in ABE previously.

c. Is there any way to assure greater cooperation?

Yes, the best ways are probably (1) forming closer ties at the National level, and (2) disseminating successful experiences with Right to Read by local and State ABE directors.

13. The Reading Act contains several separate provisions. Which are the most important in meeting the needs for effective reading programs: Are there some sections of the Act which could be repealed?

The following components are the most important in helping eliminate the Nation's literacy problem.

a. State Leadership and Training.

This component exemplifies a national thrust and has been successful (AMS report). That is encouraging since I do not believe that the literacy problem can be solved without strong State leadership.

NATIONAL READING IMPROVEMENT ACT (Cont.)

Questions, page 13

13. b. Reading Academies and Reading Improvement Projects.

No matter how successful and innovative these two components will never reach the entire functionally illiterate population. (250 grantees in FY 1977.)

However, if these two programs could become true demonstration projects and develop model interagency reading programs that could be validated and disseminated throughout the country, they would make a valuable contribution to the literacy effort.

c. National Impact.

This component is the only discretionary part of the Right to Read effort. Responsibilities now include the development of appropriate materials for the solving of the literacy problem and the partial funding of the National Assessment.

An additional role would be the development of an effective network of cooperating partners across the nation. Citizen organizations, SEAs, Right to Read organizations, colleges and universities, LEAs, business and industry, national communication media, and others are needed to make the goal of functional literacy a reality.

The following component should be repealed.

Special Emphasis Projects

This program only runs through FY 78. The evaluation study built into this component will give Right to Read valuable information

about the type and amount of training in reading that classroom teachers and reading specialists need to be effective teachers of reading. Other OE and HEW agencies will be invited to participate in the evaluation and dissemination of the results of the study.

No additional funds will be required or requested for this component.

State Equalization Plans

1. Since the OE appearance before the Committee on July 13, 1977 we have received applications from Arizona, Maryland, and South Carolina bringing the total to 44. We expect an application from Idaho shortly. We have received information from Louisiana indicating an interest in participating but have not received a certification from the State's chief legal officer indicating which agency is the legal applicant under State law. West Virginia is conducting a major study with funds appropriated by their legislature for that purpose. They have indicated they may apply for reimbursement when their studies are completed. The remaining three, Nevada, New Hampshire, and Virginia have indicated they will probably not participate, but have given no reason for their not doing so. We have no insights as to why they have chosen not to participate. It is possible that one or more of these States might change their minds and submit a proposal to develop a plan prior to the August 15, 1977 deadline for proposals.

   Non-participation under Section 842 should not affect participation in a large scale Federal equalization program. Incentives in the new program would determine whether or not each State would particpate. We do not believe special treatment would be needed or desirable for States who chose not to participate under Section 842.

2. Section 842(a)(1) of the Act permits a State to be reimbursed for the administration of a State plan meeting the requirements of the Act. Section 156.3(6) defines administration as implementation activities only and specifically excludes reimbursement for expenditures made in the normal course of operating a State finance program once it has been implemented. We delimited the meaning of administration in the regulations because we felt it was clear that nothing in the Act or its legislative history indicated that reimbursement was intended for the on-going, normal costs of administering a State school finance system. To the contrary it is intended to encourage the development and implementation of new school finance programs.

STATE EQUALIZATION PLANS (cont.)

Chapter 212 of New Jersey's Public School Education Act of 1975 requires the State Commissioner of Education to implement procedures which are aimed at insuring a thorough and efficient education for each child. These "Thorough and Efficient" (T and E requirements as they are known) require the development and installation at the State level and in every district in the State of a very elaborate and detailed planning and budgeting system which will provide the structure for aggregating the costs of a thorough and efficient education. Additionally the Act required the Education Agency to implement a program of research and development as well as an evaluation and monitoring program of the T and E system at both the State and local level.

The T and E requirements are an integral part of the 1975 school finance plan and must be implemented before the plan can be considered operational. Substantial outlays of both dollars and staff are clearly necessary for this task. The Section 842 resources were made available to reimburse the State for a portion of the State expenditures necessary for the implementation of the T and E requirements. Therefore, it is our view that the implementation of the T and E requirements satisfies the regulatory interpretation of the term administration.

Table I should have indicated that Section 842 funds were also made available to Hawaii for the implementation of their finance plan. While Hawaii could have chosen retroactive reimbursement for plan development they chose instead to request funds for plan implementation. Although the basic structure of Hawaii's full State funding system has been in operation for some time, the State maintains that the Equality of Educational Opportunity goal of the program has never been properly implemented. Specifically the State requested funds for the purposes of: (1) examining and updating the allocation standard for the regular instruction program, (2) to develop a file on the identification of pupils and their unique needs, and (3) the development of alternative approaches to equalizing educational opportunities. It was our view that these activities were necessary and relevant to implementing the equality of educational opportunity goal.

Of the remaining States only South Carolina has indicated that it will seek funds for plan implementation.

STATE EQUALIZATION PLANS (cont.)

3. Funds under Section 842 not awarded by October 1, 1978 will revert to the Treasury. If Idaho, Louisiana, and West Virginia complete requests as expected the amount unclaimed would be slightly over $500,000. If Nevada, New Hampshire, or Virginia decide to apply the amount will be less.

4. Virtually every participating State is paying some staff costs from Section 842 funds. Section 842 supported staff positions are typically the project director or coordinator and one or more research assistants. At this time it's difficult to estimate the permanancy of these staff positions.

   A realistic assessment of this can only be made after the Section 842 projects have been completed and the Federal funds expended. Prior to the Section 842 Program only one State (New York) had established a unit whose primary function was school finance research. It is our hope and expectation that a number of Section 842 project States will permanently continue their school finance planning staff. In addition to State funds Title IV-C funds could be used for this purpose.

   Twenty-one States have included in their development or implementation activities the development or redesign of computer based sytems for simulation, analysis, and monitoring of their school finance systems.

5. The U.S. Office of Education has not issued any guidelines other than those which appear in the regulations specifying the interest areas or types of activities which must be addressed in a proposal to either develop or implement a State plan.

   Section 842(b) of the Act permits a State to reject any guidelines set forth in Subpart B of the regulations. Additionally the legislative history clearly intended that we not dictate specific plan requirements to States. We did, however, take the position in Section 156.10 of the Regulations that while a State in its planning may reject any of the guidelines and still be considered eligible for reimbursement, a State plan cannot reject the guidelines to such an extent that the principles set forth in the Act are rejected.

STATE EQUALIZATION PLANS (cont.)

In a proposal submission, we require that a State summarize its existing State school finance plan in terms of its strengths and weaknesses. We then compare the proposed study areas and activities in terms of the identified weaknesses in the existing plan. It is our policy not to approve a proposal if its study objectives and activities ignore a major weakness in its existing program unless the State can demonstrate an overriding circumstance which justifies the omission.

We have informally encouraged all participating States to evaluate their data and analysis capabilities and to use Section 842 to improve these capabilities if warranted by the evaluation.

6. It is true that some of the proposals to develop State plans contain more detailed planning and budgeting information than others. Since Section 842 funds are for development and implementation activities it was expected that those States starting from "scratch" could not specify in great detail in advance some of the activities that would be conducted. In the regulations we emphasized the need for broad based group involvement in developing plans. In States where no such group existed the typical application proposed the development of such a policy group, describing its composition and operation, and indicating general areas the group might be expected to explore in designing an improved school finance plan. Obviously the details of the analytical procedures to be performed and their detailed costs could not be specified without preempting the policy group prior to its formation. In such cases we included a special condition in the grant that copies of plans and costs for studies, especially where contracted, would be sent to us to review when they had been developed by the applicant. In addition we gave priority to on-site monitoring in those States during the first year of the grant period. In States where efforts were already under way more specific descriptions of proposed activities were received. We are developing a format for a description of State plans under Section 842. We expect to summarize the nine plans already approved in this format and to require the remaining States to use this same format when submitting plans. Thus, by October 1, 1978, the date specified in the Act as the deadline for submission of plans, we expect to have a description in this common format of the plans of all States who participate under Section 842. A copy of this format will be provided the Subcommittee when it is completed.

STATE EQUALIZATION PLANS (cont.)

7. As indicated in response to a previous question several applications were approved with special requirements for additional details to be submitted at a later date. In a few cases where plan development was already under way proposals were submitted which requested part of the entitlement as reimbursement for expenditures already made and the remainder for future activities. In order not to delay activities, in two such cases the proposals were approved with funds withheld for the prior expenditures until sufficient documentation could be provided. That documentation has now been received. We believe that all activitites described in the applications for which funds have been made available are within the scope of the "development" or "administration" of a State plan as those terms are defined in 156.3(b) and (c) of the regulations.

8. The two principles set forth in the Act express broad concepts of equity but in themselves communicate no precise meaning as to what these concepts should include or exclude. It is for this reason that the Act required that the proposed guidelines be made available to Congress for a period of eight months before they would be published as a final rule. During this period there was no communication, formal or informal, from the Congress that there was any dissatisfaction with the proposed equity guidelines.

It can fairly be argued that such guidelines as those dealing with decision making, efficiency, and evaluation are peripheral to the central concept of equality of educational opportunity. They are, however, important factors which should be considered in the design of a school finance plan. It was not our intention that every State plan would meet or even address each of the guidelines. Rather the guidelines were intended to be a general statement of what should be sought for by a State, and not necessarily a statement of what can always be expected.

Questions Regarding the Ethnic Heritage Studies Program

1. What dissemination is made of materials of a general nature which are developed with program funds such as the 1976 grants to Indian tribes in North Dakota and Oregon? Could not those programs have been supported under Part B of the Indian Education Act?

The project conducted by the United Tribes of North Dakota Development Corporation is a teacher training project. There is no dissemination component in the program, but it was restricted to in-service training of teachers in the use of already developed materials; the production of a teacher's manual for use as an instructional tool in the classroom; and providing the community with an awareness of the Ethnic Heritage Studies program and the importance of the knowledge of Native American heritage for their children.

The project conducted by the Confederated Tribes of the Umatilla Indian Reservation was basically a curriculum development project. Initially the plans called for broad national dissemination. The effort was scaled down because of the amount of funds available. The legislation has since been modified so that a project can focus on curriculum development, training of teachers, or dissemination of materials.

With respect to the North Dakota project, because of the discretionary nature of Part B of the Indian Education program, the project could have been funded by this program. An official of this program added, however, that it would not have competed very well because emphasis in Part B has been placed on the training of Indian teachers. There is, of course, no such restriction in the Ethnic Heritage Studies program.

ETHNIC STUDIES (Cont.)

The same situation holds true for the Oregon proposal. While it could have been considered for a grant under the Indian Education program, it would not have been competitive, since it was not limited to solely Indian concerns in ethnicity. It should be noted, too, that the Indian Education program is paying the coordinator of this program under authority of Part A of the Indian Education program.

2. The catalog of programs in fiscal year 1976 shows that a $38,000 grant was given to develop a television-based curriculum on "The Folklore of Black America." Why couldn't such a program be funded under the television set-aside in ESAA?

While ESAA does fund television series, the smallest grant funded to date by this Office has been $250,000.

3. How are O.E. and N.I.E. activities related to ethnic education coordination?

N.I.E. seeks to achieve some of the purposes of Ethnic Heritage Studies program administered by the Multicultural/Bilingual Division. This program is a part of the activities sponsored by the Educational Equity group. The program, having no discretionary funds, has focused in the main on Title VII of the Bilingual Education program. The activities are research-oriented, unlike the Ethnic Heritage Studies program which has emphasized curriculum materials development, teacher training, and the dissemination of materials related to the ethnic experience in this country.

Dr. Mary Berry, Assistant Secretary in H.E.W., indicated recently that policy coordination "was closer to myth than reality." Dr. Berry has been assigned the responsibility for "policy coordination." This assignment obviously will affect the coordination process between the various programs.

ETHNIC STUDIES (Cont.)

4. When will there be an evaluation of the program?

Plans are under way to conduct an evaluation of the Ethnic Heritage Studies program at a cost of $150,000 in FY 1979. It is expected the duration of the study will be six months from the date of contract.

WOMEN'S EDUCATIONAL EQUITY

1. Why are the greatest percentage of grants, both general and small, given to institutions of higher education?

Institutions of higher education (IHE) submit more applications than any other single type of applicant. Their proposed projects are frequently well developed and most applicants include the required information needed to fully evaluate applications. Consequently, a large percentage of the institutions of higher education are rated high during the evaluation process and are ranked among the top scores.

The percentage of small and general grants awarded to IHE's for FY 1977 will be lower than the FY 1976 level. For FY 1977, 33.3% of the small grants will be awarded to IHE's versus 61.9% awarded in FY 1976. While the negotiation process for general grants has not been completed, the preliminary estimate for IHE's is 38.2% (versus 47.9% awarded in FY 1976).

2. What cooperation or coordination has occurred between your office and the Bureau of Occupational and Adult Education to prepare for implementation of the new amendments to the Vocational Education Act relating to sex discrimination and sex stereotyping?

The Women's Program Staff has cooperated extensively with a number of persons in BOAE who are working on women's educational equity for a long time. Over a year ago, however, that Bureau appointed a special assistant for women's issues who coordinated these concerns throughout the Bureau and with us.

This unit has continued this relationship as preparation for implementation of the amendments to the Vocational Education Act has occurred. For example, the WEEA contact persons in the regional offices were briefed by the representatives of the Vocational Education Task Force most directly responsible for the aspects of sex discrimination and sex stereotyping. The National Advisory Council established under WEEA is directly involved in its comments on the evolution of the Vocational Education regulation, and our constant contact with the Council provides coordination. Further, many WEEA project directors and other key persons of the WEEA constituency are involved in some way in the Vocational Education

WOMEN'S EDUCATIONAL EQUITY (cont.)

amendments. Thus, WPS shares information within the agency and with the public on a continual basis about these important changes. Since our legislation specifically authorizes activities related to new programs for women in vocational education, we are concerned that by coordination and cooperation we can not only avoid duplication of effort but also enhance the effectiveness of both.

3. How do you determine the length of time for which a project will be funded? For this fiscal year, how many projects were new grants and how many were continuing?

A. The initial consideration for the duration of the project is the length of time requested by the applicant. The regulation states in 45 CFR Part 160f.5:

> "Applications proposing multi-year projects must be accompanied by an explanation of the need for multi-year support, an overview of the objectives and activities proposed, and budget estimates to attain these objectives in any proposed subsequent year."

A decision is made whether or not multi-year support is needed to carry out the proposed project based on the above. In some cases projects are modified during negotiations.

B. For FY 1977, there will be twenty continuation grants. The negotiation process for general grants is not completed, however, between thirty-five and thirty-eight new general grant awards will be made and twenty-seven small grant.

APPENDIX 12

ASCD
THE ASSOCIATION FOR SUPERVISION AND CURRICULUM DEVELOPMENT
1701 K Street, N.W. • Suite 1100 Washington, D.C. 20006 (202) 467-6480
Executive Director, GORDON CAWELTI

July 25, 1977

The Honorable Carl D. Perkins
Subcommittee on Elementary, Secondary
and Vocational Education
Room B 346C, Rayburn House Office Bldg.
Washington, D.C. 20515

Dear Congressman Perkins:

I noted with considerable interest the recent hearings on the Special Projects Act held by your committee. The proliferation of categorically-based curriculum programs (ranging from metric education to career education) is of growing concern to ASCD members around the nation.

While those of us professionally involved on a day to day basis with curriculum planning and educational supervision issues have no quarrel with any of the specific topic areas now covered by the Special Projects Act, we strongly feel that this 'subject-oriented' approach leaves out a major dimension of any balanced curriculum -- the integration of topical material into an interdisciplinary instructional program. We also have noted that with present and projected levels of funding, the Special Projects Act is unlikely to affect more than a small minority of the nation's schools. We therefore believe that an alternative approach to handling federal support for curriculum programs in the nation's schools should be developed.

I recently testified on this matter at the July 13, 1977 ESEA Reauthorization Hearings before the Office of Education. I am enclosing that testimony in hopes that it might be added to the hearing record of your Committee, as it summarizes ASCD's views on the impact of the Special Projects Act from the perspective of educators whose daily duties directly involve curriculum planning and development.

Thank you for your consideration.

Sincerely,

Gordon Cawelti

Dr. Gordon Cawelti
Executive Director

GC/lw
Enclosure

July 13, 1977

"THE NEED FOR O.E. LEADERSHIP IN COMPREHENSIVE CURRICULUM RENEWAL"

Statement of Dr. Gordon Cawelti, Executive Director, Association for Supervision and Curriculum Development, 1701 K Street, N.W. Washington, D.C. 20006 (202) 467-6480

Federal attempts to encourage curriculum reform in the nation's schools so far have had mixed results. While National Science Foundation efforts to improve the teaching of physics and chemistry in high schools reached 30 to 40% of the programs in the early to mid 1960s, more recent efforts in other subject fields have had less impact. Today's hearings on the Special Projects Act and other federal education legislation is an important opportunity to reconsider the ways in which the federal government can affect curriculum in local schools.

We in the Association for Supervision and Curriculum Development (ASCD) urge that the present 'subject oriented' approach to curriculum development be abandoned in favor of a new, federally supported system of comprehensive curriculum renewal which emphasizes the process of curriculum renewal, rather than the content.

The existing program, embodied in the Special Projects Act and other legislation, stresses development of content material in selected subjects perceived as particularly important by the Congress. The strategy of the present program is to enhance local efforts through diffusion of newly developed curriculum material to the states and localities. This approach assumes that local systems cannot upgrade curriculum on their own. The change proposed today by ASCD would have an alternative purpose: strengthening state and local capacity to improve comprehensive curriculum planning by local school systems. This would enhance the ability of local systems to do the job themselves.

We are not suggesting that the national government should discontinue all efforts to upgrade curriculum content. But we are suggesting that the new approach should be designed to enhance the problem-solving ability and responsiveness of local systems, rather than emphasize particular subjects.

Analysis of the Problem

Our Association represents 23,000 educators concerned with curriculum and supervision issues who occupy crucial leadership positions in all fifty states. Some

are superintendents, assistant superintendents, and teachers; others are curriculum planners and university faculty. As professional educators we are increasingly concerned with what we perceive to be a dangerous and futile attempt to make provision for every existing or emerging social concern by sporadic and limited funding of selected curriculum areas which happen to catch the attention of the media or the Congress.

We realize that the genesis of the present system in the late 1950s following the Soviet launching of Sputnik was well intentioned. That initial effort by the National Science Foundation to improve science and mathematics teaching was funded by the Congress as a response to what was perceived as a national emergency. My own research into curriculum innovations in 7,000 high schools during the mid sixties indicated that this well-funded program often reached 30 to 40% of the nation's high schools. High intention plus adequate resources resulted in measurable success.

But expanding federal curriculum efforts modeled on this emergency approach has institutionalized a crisis mentality. New 'emergencies' have led to rapid proliferation of subject oriented projects and the emergence of what I call a 'patchwork' curriculum at the pre-collegiate level. These programs now include:

drug abuse education	consumer education
ethnic studies	driver education
metric education	sex education
environmental education	global education
career education	economic education
moral education	leisure-health education

We in ASCD have no quarrel with any of these topic areas. A case can be made for each topic as part of a balanced curriculum. But given present and forseeable levels of federal funding, I would be most surprised if these more recent programs have reached even 5% of the nation's schools in any substantial way. Despite the lack of evidence of success, the Congress is now contemplating adding energy education and nutrition education to the already long list of specific subjects designated for national emphasis.

Balanced Curriculum Essential

The present federal effort in the area of curriculum leaves out an essential dimension of any balanced curriculum: the fusion or integration of topical material into an interdisciplinary instructional program. The present 'bandaid' approach

diverts attention and scarce resources away from what is really needed in curriculum reform -- integrating basic education with contemporary social concerns in a systematic way. Further, the proliferation of special curriculum projects gives additional ammunition to those who would intervene in curriculum planning by passage of 'minimum competency' legislation. While we in ASCD recognize efforts to judge the impact of curriculum by assessing the competency of graduating youth, we cannot support the use of narrowly defined performance standards now adopted by some 20 states. Such actions can trivialize education and ignore the nation's need for an educated citizenry which is informed and concerned about the social and economic conditions which surround their lives. But the fear that school programs are becoming too diffuse is real. The profusion of federally sponsored projects reflecting the most recent topical social concerns contributes to this fear. We strongly urge the Office of Education to reverse present trends by moving away from specialized topical treatment of curriculum issues and towards fostering comprehensive curriculum renewal efforts for general education.

ASCD PROPOSAL

I have already proposed elsewhere a conceptual approach to reforming precollegiate curriculum along comprehensive lines, and I have included a short summary of my observations with the written text of my testimony. I would like, however, to mention briefly two elements which appear essential to a renewal of OE's leadership in the curriculum field:

1. Designation of an OE Component as Responsible for Curriculum Development Support to the States

ASCD does not have strong views on where such an effort should be placed in OE. We would be satisfied if discretionary authority were given to the Commissioner to undertake such support to the states as seems appropriate. We can also visualize a good case being made for having the Special Projects area in OE manage such a program.

2. Providing Technical and Financial Assistance to the States and LEA's

We propose technical assistance to local curriculum planners. Such support needs also to include financial incentives to the LEA's to retain or hire professional staff with the capability and training to accomplish this essential function.

CONCLUSION

So long as this nation retains a system of locally administered public schools the only effective way the national government can support meaningful curriculum reform is to support those local school systems. In our view this will require shifting away from a haphazard topical approach to curriculum issues in favor of a curriculum development program designed to improve and upgrade the capacity of each system to respond to its unique and changing needs